

# THE THREAT OF TRANSNATIONAL REPRESSION FROM CHINA AND THE U.S. RESPONSE

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## HEARING BEFORE THE CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA ONE HUNDRED SEVENTEENTH CONGRESS SECOND SESSION

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WEDNESDAY, JUNE 15, 2022

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# CONTENTS

## STATEMENTS

	Page
Opening Statement of Hon. Jeff Merkley, a U.S. Senator from Oregon; Chair, Congressional-Executive Commission on China .....	1
Statement of Hon. James P. McGovern, a U.S. Representative from Massachusetts; Co-chair, Congressional-Executive Commission on China .....	3
Statement of Hon. Chris Smith, a U.S. Representative from New Jersey .....	4
Statement of Hon. Uzra Zeya, Under Secretary for Civilian Security, Democracy, and Human Rights, U.S. Department of State .....	6
Statement of Serena Hoy, Assistant Secretary for International Affairs, U.S. Department of Homeland Security .....	7

## APPENDIX

### PREPARED STATEMENTS

Zeya, Hon. Uzra .....	31
Hoy, Serena .....	33
Merkley, Hon. Jeff .....	37
McGovern, Hon. James P. ....	38

### SUBMISSIONS FOR THE RECORD

Statement of Freedom House .....	39
Statement of the Uyghur Human Rights Project .....	41
The FBI “Transnational Repression” webpage, the “FBI Threat Intimidation Guide” webpage, and the “Threat Intimidation Guide” in four languages, submitted by Senator Merkley .....	44
CECC Truth in Testimony Disclosure Form .....	54
Witness Biographies .....	55





# **THE THREAT OF TRANSNATIONAL REPRESSION FROM CHINA AND THE U.S. RESPONSE**

**WEDNESDAY, JUNE 15, 2022**

CONGRESSIONAL-EXECUTIVE  
COMMISSION ON CHINA,  
*Washington, DC.*

The hearing was held from 10:07 a.m. to 11:44 a.m. in Room G-50, Dirksen Senate Office Building, and via Cisco Webex, Senator Jeff Merkley, Chair, Congressional-Executive Commission on China, presiding.

Also present: Co-chair James P. McGovern, Senators Daines and Ossoff, and Representatives Smith, Steel, Mast, and Malinowski.

## **OPENING STATEMENT OF HON. JEFF MERKLEY, A U.S. SENATOR FROM OREGON; CHAIR, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA**

Chair MERKLEY. Good morning. Today's hearing of the Congressional-Executive Commission on China, "The Threat of Transnational Repression from China and the U.S. Response," will come to order.

In recent years, this Commission has devoted increased attention to the Chinese Communist Party and government's human rights violations in the United States and globally. We've expanded our reporting, brought in additional expertise, and held a range of hearings on the toolkit employed for these abuses. That toolkit includes economic coercion, technology-enhanced authoritarianism, and other ways to stifle criticism, avoid accountability, and undermine international human rights norms.

In this hearing, we will examine a part of that toolkit that targets individuals and communities at a very personal level—transnational repression. In addition to the egregious human rights abuses they commit within China's borders, Chinese authorities increasingly reach into other countries to silence dissidents, conduct surveillance, and force the repatriation of critics. This long arm of authoritarianism across borders is not just a violation of human rights, it is a violation of countries' national sovereignty.

These tactics, targeting Uyghurs, Hong Kongers, Tibetans, Falun Gong practitioners, human rights advocates, journalists, and others, add up to what Freedom House calls the most sophisticated, global, and comprehensive campaign of transnational repression in the world. By Freedom House's conservative count, between 2014 and 2021 there were 214 cases of direct physical attack originating

from China across dozens of countries, including right here in the United States of America. International manhunts like Operation Fox Hunt and Operation Sky Net go well beyond supposed corruption suspects to include critics and others deemed “sensitive.” This leaves many Uyghurs and others in a precarious position, especially as other governments at times cooperate with the Chinese government against the rights of migrants.

We’ve also seen the Chinese government exploit international organizations toward these repressive ends. The abuse of INTERPOL mechanisms such as red notices can trigger detentions and even rendition of the targets of transnational repression. At the United Nations, authoritarian governments seek to erode norms of universal human rights, and Chinese pressure can deny representatives of civil society or diaspora communities the opportunity to access UN forums. Even when Chinese authorities don’t reach their targets physically, they surveil and coerce them in other ways such as by deploying spyware, threatening them in video calls, and harassing their family members who still live in China.

In response to these disturbing trends, the Biden administration has sought to elevate the issue of transnational repression both within the United States Government and in interactions with countries around the globe, whether they be like-minded countries seeking to address this menace or perpetrators of transnational repression or countries on whose soil this behavior occurs. In today’s hearing, we will hear from two administration officials at the forefront of these efforts. We wanted to hear from multiple parts of the U.S. Government because addressing transnational repression will truly require a whole-of-government approach.

To raise awareness globally and prevent these tactics from becoming pervasive in the international system, we need diplomacy. To protect those targeted, we need humanitarian and homeland responses. To pursue accountability for those responsible, we need law enforcement. The Departments of State, Homeland Security, Justice, Treasury, Commerce, and others all have a role to play. This hearing will allow us to hear from two of those agencies on the steps the administration is taking to counter transnational repression from China, how they coordinate with the agencies, with other governments and international organizations, and where we have opportunity to do more.

Certain aspects of the U.S. response will be most appropriate for members of the Commission to explore in a closed session. That is especially true for certain law enforcement matters, and we are working with the Department of Justice to arrange such an opportunity in the coming weeks. For today’s hearing I look forward to hearing from our witnesses on what their departments are doing, in coordination with partners in government, civil society, the private sector, and the international community to address transnational repression from China. The scope and complexity of this threat requires not only a whole-of-government approach but vigilance, coordination, and decisive action across the administration and Congress. I hope today’s hearing helps us take a step in developing urgency around this issue and charting a path forward for addressing it.

It's now my pleasure to recognize Congressman McGovern for his opening remarks.

**STATEMENT OF HON. JAMES P. MCGOVERN, A REPRESENTATIVE FROM MASSACHUSETTS; CO-CHAIR, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA**

Co-chair MCGOVERN. Well, thank you, Mr. Chairman. Thank you for holding this hearing about transnational repression by the People's Republic of China. You know, in September 2020, federal authorities arrested a New York City police officer and U.S. Army reservist for acting as an illegal agent of the Chinese government. The man, originally from Tibet, had tried to ingratiate himself with the Tibetan-American community of New York. It turns out he was spying on them and advancing Chinese interests. This revelation caused fear and concern in the community.

The Uyghur Americans at Radio Free Asia who work diligently to report facts from Xinjiang, including crimes against humanity, are protected by our First Amendment safeguard of freedom of the press. The Chinese government has attempted to silence them by punishing their relatives back home. Gulchera Hoja testified before this Commission in 2018 that two dozen of her relatives are missing, almost certainly held in reeducation camps run by the Chinese in Xinjiang.

These are but two examples. The Chinese government tries to deflect criticism of its human rights record by claiming that it has a sovereign right to do what it wants within its borders. And yet, Chinese officials have no problem setting aside sovereignty principles when they reach across our border to threaten the human rights of Americans. In his May 26th speech on China, Secretary of State Tony Blinken said that the Chinese government purports to champion sovereignty and territorial integrity while standing with governments that brazenly violate them. I would add that the Chinese government itself violates them.

I am pleased that the Biden administration has recognized this trend and is deploying diplomatic, investigative, and prosecutorial resources to the problem. I look forward to hearing from Under Secretary Zeya and Assistant Secretary Hoy about what their respective departments are doing to address this issue and these violations. We want to hear whether there are additional authorities or tools that you need from Congress, including the expansion of humanitarian pathways to provide refuge to those who risk their lives to stand up to authoritarian regimes. We also look forward to getting input from the Department of Justice in a separate setting, as the Chair has already mentioned.

While our focus today is China, my concern on this issue has been global. Freedom House's extensive report from earlier this month finds that 36 governments engage in transnational repression, and documented 735 incidents of direct physical transnational repression between 2014 and 2021, with 85 incidents in 2021 alone. I, along with several of my colleagues, have expressed concern over transnational repression by Egypt, Russia, and Saudi Arabia, including such heinous crimes as the murder of U.S. resident and journalist Jamal Khashoggi by Saudi officials and the poisoning of Russians living in exile in the U.K. by Russian authorities. I hope

to hear how the administration is approaching the challenge, not only as a whole-of-government effort but as a global one too.

So Mr. Chairman, thank you. I yield back my time.

Chair MERKLEY. Thank you very much. I now recognize Congressman Smith, who would like to make some opening comments.

**STATEMENT OF HON. CHRIS SMITH,  
A REPRESENTATIVE FROM NEW JERSEY**

Representative SMITH. Thank you very much, Mr. Chairman, and thank you for convening this important hearing this morning.

You know, last year on June 4th, to commemorate the 32nd anniversary of the horrific Tiananmen Square massacre, I attended the unveiling of a work of art at Liberty Sculpture Park in Yermo, California. There, the Chinese emigree sculptor Chen Weiming introduced an iconic work entitled “CCP Virus,” which morphed an image of Xi Jinping onto a coronavirus cell, and it was the size of a small house—that’s how big the artwork was. A physical monument to the devastation unleashed by the Chinese Communist Party onto the world.

Chinese agents, it should be noted, were there in attendance that day. A little over a month later, however, the sculpture had been burned to the ground in an arson attack which at the time local media reports speculated was attributable to Chinese Communist Party agents. Certainly sculptor Chen and other emigrees thought so, and the repression they thought they had left behind in China was catching up to them in the California desert.

Then in March of this year, federal prosecutors unsealed charges against the five men accused of taking orders from China’s Ministry of State Security to “stalk, harass, and spy” on Chinese dissidents, and who had destroyed the sculpture. Among these were Frank Liu, a former corrections officer named Matthew Ziburis, and Jason Sun, the latter of whom ordered the destruction of “all sculptures that are not good to our leaders.” As this incident suggests, today’s hearing is so timely because China’s long arm of repression is not something that occurs “over there,” but right here in the United States of America.

The cases of this are legion. Wei Jingsheng, the father of the democracy movement in China—who, parenthetically, I met in Beijing in the early 1990s—when the CCP thought he was such a high-value political prisoner, they let him out of prison and tried to convince the International Olympic Committee to award them Olympics 2000. When the IOC did not give them Olympics 2000, they re-arrested Wei and tortured him almost to the point of death. In 1998 Wei testified at a hearing that I chaired and detailed the abuse he suffered and endured, again, all for democracy. Now he is free in the United States, thank God.

Today, however, Wei believes that several assassination attempts have been made on his life, including a poisoning attempt that required nearly a month-long hospitalization and resulted in a 40-pound loss of weight. More recently, on May 20th, after dropping off a guest at Reagan National Airport, two cars sought to run the car Wei was riding in off the road. I’d be happy to share with our witnesses, especially from Homeland Security, the police report

numbers, should they wish to follow up on this, and I certainly hope that they will.

Another prominent Chinese dissident who has faced harassment believed to be orchestrated by the CCP is Pastor Bob Fu, a long-time friend of this Commission. One tactic the CCP uses is to plant fake dissidents among the community and use them to create division among the emigres. In Pastor Fu's case, his antagonist was Guo Wengui, also known as Miles Kwok. Guo not only used media platforms that he owned to attack Pastor Fu, something all of us in public life need to endure but certainly not to the degree that Bob Fu endured, but is alleged to have organized daily protests outside of his home. As the threats remained to his life, on the advice of local and federal law enforcement, Pastor Fu and his family were evacuated from their home and forced to live in separate distinct locations.

Then there's the murder in March of this year of Jinjin Li, an organizer of the Tiananmen Square student movement, who spent two years in a Chinese prison following the massacre before fleeing and establishing himself as a lawyer, primarily serving the Chinese community in Flushing, New York. He was stabbed to death by a 25-year-old woman who arrived from China on a student visa, though she apparently never went to school and spent her time immersing herself in pro-democracy activities. While many of the media reports reported the death as a straightforward murder, many in the dissident community believe it was a professional hit job by a Chinese agent, given the "professional nature," of the stabbing. I recommend an article by Radio Free Asia, which catalogues some of those concerns.

Mr. Chairman, as you know, this is a crisis. We have prominent Chinese dissidents, including Wei Jingsheng, again, the father of the Democracy Wall Movement, whose lives are in danger living right here in the United States. That goes as well for many of the Uyghurs. I know Rebiya Kadeer and others over the years have had problems with Chinese agents. Again, look what they're doing in China itself with the genocide. Of course, those who speak out here are at risk. We need to bring more attention to this. This hearing helps to do that. I do thank you and yield back the balance of my time.

Chair MERKLEY. Thank you very much, Congressman Smith.

I'd now like to introduce our panel of witnesses. Uzra Zeya is the Under Secretary for Civilian Security, Democracy, and Human Rights at the U.S. Department of State. She also serves as the U.S. Special Coordinator for Tibetan Issues. She previously was the president and CEO of the Alliance for Peacebuilding. During her distinguished 27-year foreign service career, she served in missions across the globe, including senior assignments in Paris, New Delhi, and at the Bureau of Democracy, Human Rights, and Labor.

Serena Hoy is the Assistant Secretary for International Affairs at the Department of Homeland Security. Previously she served in the office of legal affairs at INTERPOL headquarters, as a senior counselor to then-Deputy Secretary Mayorkas and Secretary Johnson at DHS, and as chief counsel to U.S. Senate Majority Leader Harry Reid. Before serving in government, she worked at several

immigrant rights organizations and clerked for Judge Merrick Garland on the U.S. Court of Appeals for the D.C. Circuit.

Thank you both for being here with us today. Without objection, your full written testimony will be entered into the record. We ask you to keep your remarks to about five minutes. Under Secretary Zeya.

**STATEMENT OF HON. UZRA ZEYA, UNDER SECRETARY FOR  
CIVILIAN SECURITY, DEMOCRACY, AND HUMAN RIGHTS, U.S.  
DEPARTMENT OF STATE**

Under Secretary ZEYA. Chairman Merkley, Co-chair McGovern, Ranking Member Smith, and distinguished members of the Commission, thank you for the opportunity to testify today.

As Secretary Blinken recently declared, “The scale and scope of the challenge posed by the People’s Republic of China will test American diplomacy like nothing we’ve seen before.” Few things are more emblematic of this challenge than PRC transnational repression. The reach and frequency of the PRC’s global repression is growing more alarming by the day. NGOs have documented thousands of cases over the last several years of the PRC conducting involuntary returns from over 120 countries worldwide. In response to this growing threat, the Biden-Harris administration has developed an approach that is whole-of-government, inclusive, agile, and results oriented.

With these principles guiding our approach, the administration’s strategy to counter PRC transnational repression revolves around four key pillars. First, we are using all available tools, in coordination with the interagency partners, to promote accountability for the PRC’s transnational repression. These tools include visa and investment restrictions, export controls, and law enforcement actions in the United States to investigate and prosecute perpetrators. The Secretary’s March 2022 announcement of visa restrictions against PRC officials involved in transnational repression is one recent example of accountability actions taken by this administration.

Second, we are curbing the PRC’s ability to perpetrate these abuses by engaging third countries that may be implicated, willingly or not, in the PRC’s transnational repression, as well as international law enforcement agencies and the private sector. We’re facilitating more rapid diplomacy with host governments to protect individuals at risk of refoulement. We continue to support INTERPOL reforms to prevent countries from misusing INTERPOL systems for political or other improper purposes. Our federal assistance programs are empowering civil society activists to mitigate the PRC’s transnational repression by providing digital security tools and financial assistance. We’re engaging with the private sector to ensure that firms are cognizant of and have the tools to counter the PRC’s increasingly sophisticated digital authoritarianism.

Third, we’re building the resilience of targeted communities in the United States and around the world, to better understand their needs and develop tailored responses. We are proactively engaging affected communities and developing solutions in partnership. Additionally, we’re amplifying the voices of affected communities by shining a light on transnational repression and bringing it out from

the shadows. We now report on transnational repression in the department's Annual Country Reports on Human Rights Practices and the annual Trafficking in Persons Report. We're advocating for individual cases of transnational repression where family members of activists and others have been imprisoned or disappeared in the PRC.

Fourth, we're engaging allies and partners to mount coordinated multilateral responses. We work with partners to jointly advocate for political prisoner cases, many of which have ties to transnational repression. This included a Voices of Political Prisoners event at the December Summit for Democracy, led by Secretary Blinken and Lithuanian Foreign Minister Landsbergis. Additionally, we worked with multiple partners to launch the Export Controls and Human Rights Initiative, which seeks to stem the tide of PRC and other authoritarian governments' misuse of technology. Through the EU-U.S. Trade and Technology Council, we're working with our European partners on developing common standards that will address the misuse of technology that facilitates transnational repression.

Lastly, we've sought to "call out" transnational repression in statements or resolutions at the UN General Assembly and other UN bodies. Just yesterday, 47 countries from the Asia-Pacific, to Africa, to Latin America to Europe, signed a statement at the Human Rights Council condemning the PRC's human rights abuses and calling on countries to respect the principle of non-refoulement, and we intend to do more.

In closing, let me repeat—the PRC's transnational repression poses a direct threat to human rights and democracy, the rules-based international order, and even our own citizens and institutions. We are combating it with the attention, seriousness, and resources it deserves. Our close partnership with Congress will be integral to this effort. Bipartisan legislation has given us the tools we need to confront the PRC's egregious atrocities and human rights abuses. We welcome an ongoing partnership with Congress to refine our tools and our diplomatic approaches to address the PRC's transnational repression threat. Thank you again for the opportunity to testify today, and I welcome your questions.

Chair MERKLEY. Now we'll hear from Assistant Secretary Hoy. Welcome.

**STATEMENT OF SERENA HOY, ASSISTANT SECRETARY FOR INTERNATIONAL AFFAIRS, U.S. DEPARTMENT OF HOMELAND SECURITY**

Assistant Secretary HOY. Thank you. Chair Merkley, Co-chair McGovern, and distinguished members of the Commission, it is a privilege to appear before you today to discuss the critical work the Department of Homeland Security is doing to combat the ongoing campaign of transnational repression waged by the People's Republic of China. This practice represents a serious threat to human freedom and security and is an issue of significant human rights and national security concern to DHS. The PRC government uses a range of tactics to control its diaspora, citizens, and others critical of its policies and actions abroad, including sustained efforts to repress multiple members of ethnic and religious minority groups,

political dissidents, human rights activists, journalists, and former insiders accused of corruption.

My testimony today will focus on the department's efforts to counter attempts by the PRC to intimidate and repatriate perceived opponents present in the United States and to prevent the PRC's abuse of the international criminal police organization known as INTERPOL. I will also discuss how the department has engaged Uyghur and other diaspora communities within the United States to amplify and inform our efforts to counter the PRC's transnational repression activities on U.S. soil, as well as ensure that these populations are aware of the tools and best practices available to combat these attacks.

DHS is focused, with its interagency partners, on the PRC's Operation Fox Hunt, through which Beijing targets and seeks to repatriate individuals living in foreign countries whom the PRC alleges are guilty of corruption and should be returned to face criminal charges. The individuals targeted include members of a number of religious and ethnic minority groups, as well as political dissidents. In support of FBI and other government, law enforcement, and intelligence community efforts to combat Operation Fox Hunt, DHS seeks to provide traditional and nontraditional disruption options to overall investigative strategies, pursuant to its broad scope of criminal and administrative immigration and customs-related authorities and capabilities.

The department also works diligently with our international partners to prevent abuse of law enforcement authorities for political purposes. One of these lines of effort has been our work with our interagency partners over the last year to support the reforms INTERPOL has undertaken to make it harder for states to target dissidents or other vulnerable populations through the abuse of its systems. In general, we have sought to strengthen the ways in which the U.S. Government is able to provide INTERPOL with relevant information, which can be kept confidential, that would assist it in identifying notices and diffusions that might be based on political motivations. I am particularly invested in these efforts, given my previous tenure at INTERPOL.

The department also conducts due diligence to prevent PRC authorities from exploiting DHS information-sharing mechanisms, immigration systems, and other tools to engage in transnational repression. Among these efforts, DHS is working to ensure that our law enforcement officers are trained in how to recognize and respond to potentially abusive requests for law enforcement cooperation and are aware of countries known to engage in transnational repression. While DHS seeks to prevent PRC government actors from engaging in transnational repression on U.S. soil, we also engage with the victims of this campaign, including the Uyghur diaspora and other targeted communities.

For example, leadership from DHS and the State Department, including Under Secretary Zeya, convened a roundtable discussion in March with individuals who have been the target of transnational repression. That same month, DHS's Office for Civil Rights and Civil Liberties (CRCL) hosted a virtual interagency engagement with the Uyghur diaspora community in the United States to share information on federal resources to address threats



of transnational repression. DHS remains unwavering in its efforts to combat transnational repression committed by the PRC and looks forward to working with Congress on ways to address such activities.

I thank you for the opportunity to testify today and look forward to taking your questions.

Chair MERKLEY. Thank you both for your testimony and, more importantly, for the work you're doing on transnational repression. We'll turn to questions now. I want to start with something both of you referred to, which is working with targeted communities. I'm thinking about the Uyghurs, the Tibetans, the Hong Kongers in the U.S. who are very fearful of their family members being retaliated against inside China if they exercise their free speech and express their concerns about human rights violations or other actions of China they disapprove of. You mentioned, Assistant Secretary Hoy, a conference or a gathering you had held with, I believe it was, Uyghur dissidents who were targeted.

Could either of you expand on the effort to coordinate with leaders of various dissident communities in the United States—if threatened or if they experience actions, or they hear about their niece or nephew, their wife, their son, their grandchild being retaliated against in China—how do they channel that information? Is there a State Department or Department of Homeland Security hotline or a coordinated effort between the two departments to enable us to collect information about all of the folks that China is targeting?

Under Secretary ZEYA. Thank you, Mr. Chairman, for raising a very important question. As Assistant Secretary Hoy noted, engagement with diaspora communities is a joint endeavor and one which the State Department is very committed to. Of course, these targets include Uyghurs, Tibetans, Christians, other minorities, and simply any diaspora PRC citizens seeking to exercise their universal human rights. The responsibility for the U.S. enforcement side, the lead agency on this, is the Department of Justice.

But we have, as I noted in my opening remarks and my submitted written statement, really prioritized a whole-of-government approach, where we had an important roundtable that I and Under Secretary Silvers convened with affected communities, not limited to those targeted by PRC transnational repression, but certainly including them, in March, and follow-on sessions between DHS and diaspora communities, which I'll allow Assistant Secretary Hoy to comment on.

I would also note that Secretary Blinken has engaged Uyghur exiles in the United States and human rights activists as part of his ongoing effort to center human rights and democratic values in our foreign policy. Assistant Secretary Hoy.

Assistant Secretary HOY. Thank you, Under Secretary Zeya, and thank you, Senator, for that question.

In addition to the roundtable that Under Secretary Zeya mentioned and participated in, our Office for Civil Rights and Civil Liberties—this is the roundtable, the virtual interagency engagement I mentioned in my testimony. This was a Uyghur-focused event that CRCL convened, and it was an opportunity for interagency partners to talk to the community about the resources that are

available and to listen to their concerns. If there are individuals who have concerns about activity they're experiencing, then, as Under Secretary Zeya mentioned, our colleagues at the Department of Justice and the FBI would be the right place, or state and local law enforcement authorities, who would then work with the FBI on any concerns or complaints. They would be the lead agency on that.

But DHS's ICE, Homeland Security's investigations agency, works very closely with our FBI partners, and in coordination with them might participate in any investigation, if an investigation were appropriate. But as I think you mentioned, even if an investigation isn't appropriate, it is helpful for the FBI and the agencies to monitor trends that enable it to prepare proper responses to respond at a more systemic level to the threat we're facing.

Chair MERKLEY. Thank you both. I'm very intrigued by this question because I don't believe that our diaspora communities in my home state have any idea of how to report. They will share among themselves their concerns about what they have heard about their family members being targeted. I have a feeling we're perhaps possibly missing a full, comprehensive understanding of the extent of Chinese transnational repression.

I look forward to following up on this because I want to publicize to my diaspora communities how to report and channel. I picture that maybe there is a need for absolute clarity, a coordinated point person for people to be able to share their information with, whether that is at the Department of Justice, or elsewhere. I think many in the diaspora community, when they hear about the pressure back home, aren't thinking of it as a crime to be contacting local police or the FBI about.

I now want to turn to a broader question. I'm picturing a theoretical conversation between perhaps our secretary of state, our secretary of homeland security, and a counterpart in China saying: Here is our evidence of what you've done to retaliate against free speech in the United States of America exercised by members of the Chinese diaspora community, and here's what's going to happen if these cases continue. I'm trying to picture exactly what the most effective tool we have to counter this is.

Several tools have been mentioned, and one of those is to hold the perpetrators accountable through visa restrictions and investment restrictions, but can't China really strive to make it very hard to identify a specific perpetrator, and thereby render such tools less effective?

Under Secretary ZEYA. Mr. Chairman, I do want to respond, first, to your earlier point about information sharing and reporting this crime. There is a public FBI webpage on transnational repression—it's available to all. Clearly, we'll want to continue to put the word out about this. It advises anyone who believes they may have been the victim of this crime on how to report it, and it has contact information directly to contact the FBI and, of course, local law enforcement, as you noted.

Chair MERKLEY. Thank you.

Under Secretary ZEYA. To your point on the tools, absolutely. You know, the administration is deploying a wide range of diplomatic, regulatory, and law enforcement tools to deter, and ultimately seek accountability for, acts of transnational repression, but

we are also, as I noted earlier, working to build international opposition to this practice and intensively engaging with allies and partners to hold perpetrators accountable, as this is truly a global phenomenon not limited to our own shores. We're also working to increase measures that will protect our own citizens from transnational repression, through ongoing engagement with communities that we've noted, but also to actively engage human rights activists, dissidents, journalists, and others who may very well be targeted for their courageous actions.

Chair MERKLEY. Thank you.

Congressman McGovern.

Co-chair MCGOVERN. Thank you.

Secretary Zeya, you mention in your testimony the Chinese government's efforts to pressure other governments to forcibly return people who are seeking asylum in other countries. They are not the only country that does this. Refoulement is a violation of international law. My question is whether there are sufficient tools in the U.S. toolbox to deter refoulement or punish those who do commit the violation. So the question is, is there anything besides diplomacy? Is refoulement a sanctionable crime under U.S. authority, and if not, should it be?

Under Secretary ZEYA. Thank you, Mr. Chairman, for raising a very important issue. I would say that on the issue of refoulement, this is a global policy priority for the administration that we raise at the highest levels. I have done so myself in my own international engagement in these 11 months on the job. With respect to refoulement and sanctions, although it's generally not a basis for financial or visa restrictions under our existing authorities, we are absolutely resolute and adamant in calling upon states to respect the principle of nonrefoulement and to uphold their obligations in this area as appropriate. And I would say we will continue to explore the extent to which sanctions could apply in these cases with existing authorities.

Co-chair MCGOVERN. Well, thank you. I think one of the things that this Commission always tries to find is whether or not there are additional tools or authorities that we can act upon here to give to you, so that we can more effectively deter things like refoulement. Obviously we stand willing to work with you.

Assistant Secretary Hoy, you know, while the overall scale of transnational repression is global, individual cases are sometimes very personal—targeting individuals, their families, or their communities. You testified as to how DHS components raise awareness among U.S. law enforcement agencies who might unwittingly assist Operation Fox Hunt. Does such activity include state and municipal police as well? Does this include coordination and/or training?

Assistant Secretary HOY. Thank you, Co-chair McGovern. Homeland Security Investigations (HSI) is the agency that we have worked with—and their sister agency within Immigration and Customs Enforcement—to ensure training in recognizing transnational repression and ensure that it doesn't unwittingly aid it. We also have a state and local partner engagement program that liaises closely with our state and local law enforcement partners. I don't believe that we conduct any training with our state and local law

enforcement partners. It may be that the FBI does. We can look into that and get back to you with that answer.

Co-chair MCGOVERN. Thank you, because I think that might be an area that the Chinese government potentially is exploiting, as well as other countries for that matter. Under Secretary Zeya, are officers who serve at U.S. embassies and consulates trained to identify potential transnational repression, including transnational repression carried out by Chinese authorities? Do they know what to look for? Are they reporting on that stuff?

Under Secretary ZEYA. Yes, absolutely, Mr. Chairman. Our raising awareness efforts, of course, include our own teams overseas. There are 270-plus U.S. missions, so that has been part of our guidance and training resources and materials to post in the field so that they can learn what this is, how pervasive it is, how to identify it and report it, and most important, how to counter it.

Co-chair MCGOVERN. Yes. It seems to me, and maybe because I'm on this Commission I'm becoming more aware of some of these things, but it seems to me that this interference is becoming more of a problem, and not less. You know, I seem to hear more about it with each passing year. I'm wondering whether or not there are—again, that's why I asked the question as to whether there are other additional tools that we can provide you that might help more effectively deter this.

I appreciate the diplomacy and “calling out” examples of outside interference, you know, attacks on individuals in this country who are exercising their freedom of speech, but it seems that that, in and of itself, is not deterring what seems to be a growing problem. Again, to either of you, are there additional tools that you think we should look at, that we can provide you? Are there things that Congress can do that might be helpful in not only calling attention to this problem, but deterring it?

Under Secretary ZEYA. Well, thank you, Mr. Chairman, for raising a very important question. As I mentioned in my opening remarks and written statement, this is an upward trendline. We believe this problem is growing, and it's also evolving in terms of the tactics, so we have an imperative to stay ahead of it. We can't have a static response. We have to remain agile and continually refine our tools and our best practices.

So in terms of what we are doing, I would say the President's budget request includes funding for the State Department to support a variety of programs that would address and counter transnational repression, but at the same time, there is limited funding currently for state programs to support and help protect victims and individuals who are vulnerable to transnational repression, as well as the capability to mitigate surveillance technology and cyber threats. Year after year we're finding with this trendline that we've declared from the outside, we are consistently receiving more program proposals, more competitive ones than we're able to fund.

Co-chair MCGOVERN. Thank you. I yield back.

Chair MERKLEY. Thank you.

We would be turning to Senator Ossoff, however he had to attend another meeting, so Congressman Smith, you're up.

Representative SMITH. Thank you very much, Mr. Chairman. Thank you to our two distinguished witnesses for their leadership and for being here today to give us these important updates. You know, I wonder if you can tell us to whom a member of the diaspora would report if they thought they were being victimized by Chinese Communist Party agents. How confidential is all of that? We know, and I know the Chairman referenced it—I do it all the time as well—one of the ways that the Chinese Communist Party continues to have a chokehold on dissidents and people once they come here are the people that are left behind, their family members who then could be retaliated against with impunity.

I'm wondering if there's a sensitivity to that because when somebody does report, to whom do they report? The FBI? What's the best source? Is there any thought being given to a hotline where somebody could report confidentially that they think they're being harassed by the Chinese Communist Party? Because, like I said, I've been in so many events, including the one out in California, where you could pick out—and people who were there could pick out—who the agents were. It was very, very eye-opening that, in such a brazen way, they were there and a month later they burned down the sculpture. If you could speak to that.

Secondly, Under Secretary Zaya and Assistant Secretary Hoy, back in February of 2006 I chaired probably the longest hearing I have ever chaired, an eight-hour hearing. We had Google, Microsoft, Yahoo, and Cisco testify. I swore them in because they were aiding and abetting the Chinese Communist Party in a huge way on surveillance, on censorship. People were being arrested because personally identifiable information, for example, that Yahoo had, was just turned over to the secret police when they made a request for it, and once that happened, all the other contacts were laid bare.

I had several hearings after that. We raised it over and over again, and I don't think Google, Microsoft, Yahoo, and Cisco have joined the democracy side on this. They always, like many U.S. corporations, desperately want to have access to markets and so they mute their words and their actions. The most disappointing part of that hearing in February 2006, from the top people from those four companies, was when they basically said: We're just following orders; if we get a "lawful" request for information, we give it.

I said, These aren't police officers. These are secret police officers. These are people who work for a dictatorship, not for a democracy that has checks and balances. But they nevertheless said: We just turn over the information. So I'm wondering if that has been cured, in whole or in part, because I am deeply concerned with so many people who go on social media here—is it being monitored? And then people back home especially are retaliated against. These large high-tech corporations—again, who did nothing but aid and abet the Chinese Communist Party for decades—where are they now when it comes to these things?

Finally, I would just bring up one case that has always troubled me. A guy named Shi Tao—you might remember him—Yahoo gave up his personally identifiable information. And what had he done? He had sent information to some folks in New York City about what they can and cannot do vis-à-vis the Tiananmen Square com-

memorations, and for that, he got 10 years in prison. I mean, 10 years for sharing on censorship—just like we’re seeing in Hong Kong, as all my fellow commissioners know. You know, this year the churches and others were barred, and some even self-censored in not commemorating the horrific events of the Tiananmen Square massacre out of fear of retaliation by the Chinese Communist Party. So, you know, these companies I think have a lot to account for.

As a matter of fact, in my opening statement I pointed out that I had read a book years ago called *IBM and the Holocaust*. In that book, which was very heavily documented, it talked about how the Gestapo had done such an effective job in finding the Jews throughout Germany and elsewhere because, in large part, IBM was their partner and was using the best high-tech capability available at that time to track down who they were. As a matter of fact, in the book it mentions how—why did the Gestapo always have these lists? Where did they come from? IBM. IBM protested when I mentioned this. I said, have you read the book? You know, that kind of complicity with the horrors of the Nazis needs to be apologized for, not defended.

So the high-tech companies issue and do people report to a hotline—if you could speak to some of those issues I’d deeply appreciate it.

Under Secretary ZEYA. Thank you, Representative Smith. You’ve raised some very important points that I will seek to address from the State Department perspective and then cede the floor to my colleague. With respect to domestic law enforcement, as you’re well aware, the State Department defers to U.S. law enforcement agencies regarding PRC unauthorized activities in the United States, but let me make clear, we continue to oppose the PRC’s use of illegal, extraterritorial law enforcement activities to target various groups outside its borders and inside our own. This activity is unacceptable, damaging to our bilateral relationship, and must stop.

So as an agency, we are working closely with DHS, DOJ, and the FBI to identify and define threats, to help develop and hone policy tools to respond and deter internally. We are sharing information with domestic law enforcement regarding the PRC’s overarching transnational repression tactics and trends. I can’t share details here in an open hearing, but our department does work with DOJ and the FBI to support the investigation and charging of those who are committing this crime inside the United States.

To your very important point with respect to the misuse of technology—this is a top priority for the State Department, and it is a focal point of our Summit for Democracy effort, where we are working with 100-plus governments around the world to lead efforts to develop, as I noted, voluntary codes of conduct to basically shape the norms to apply human rights criteria to export controls. This also corresponds with an effort we’re leading to develop common principles, the rules of the road, on responsible use of surveillance tech.

This requires ongoing continual outreach with tech and social media companies to work more actively to counter PRC online harassment, digital surveillance, and disinformation. We have to make sure that these platforms are not misused to fuel authoritarianism

but in fact allow users to freely express themselves without fear of reprisal.

I'd like to give my DHS colleague a chance to respond as well.

Assistant Secretary HOY. Thank you very much. I will just say briefly, as discussed with the Chair, the FBI has a very helpful website focused on transnational repression. It may be that we need to ensure that you all have it in a way that's easy for you to communicate with your constituents, but I do believe there is a hotline for reporting these sorts of abuses. Just one note on the surveillance issues raised—our cybersecurity agency has online resources available. They're free for individuals, for organizations, to share with them best practices for protecting themselves against harassment, stalking, and surveillance. Thank you.

Representative SMITH. If I could just add one final comment. Hopefully at the highest levels, including the President when he talks to Xi Jinping, he's raising these issues about, you know, don't harass the diaspora, in addition to all the other human rights abuses that the Chinese Communist Party commits. I hope he's raising it. I yield back.

Chair MERKLEY. Thank you very much, Congressman.

Now I will turn to Senator Ossoff.

Senator OSSOFF. Thank you, Mr. Chairman, and thank you to the panel. Under Secretary Zeya, I want to direct my first question to you. Before I took office, I produced investigations of war crimes, organized crime, and official corruption for international news organizations. Press freedom is vital and under threat worldwide, with journalists facing chilling restrictions, and with threats to their lives and safety increasing around the world. Reporters Without Borders ranks China 175th out of 180 countries for world press freedom. The CCP's monitoring systems, firewalls, and media controls have shut down any free reporting at home. In November of last year, the BBC reported that the Chinese province of Hunan was building a surveillance system with face-scanning technology that can detect journalists and other "people of concern."

My question for you, Under Secretary, is about the CCP's efforts to repress, intimidate, and chill press freedom beyond the borders of the PRC. How do they engage in such transnational repression? What tactics do they employ to chill and restrict press freedom and free reporting about the CCP, or to influence reporting about the CCP, beyond China's borders?

Under Secretary ZEYA. Thank you, Senator, for raising a critically important dimension of our efforts to counter and deter PRC transnational repression. Certainly we agree that our efforts have to address the concerted PRC effort through transnational repression to shape and repress media reporting that is shedding a light on what's happening. As the co-chairs noted in their opening remarks, the egregious actions taken against family members of Radio Free Asia journalists are just one emblematic example of the scope and severity of these efforts.

In response, our efforts are putting a premium on promoting and protecting open and resilient information ecosystems by addressing the needs of at-risk journalists, fostering the long-term sustainability of independent media outlets, and enhancing the impact of investigative journalism, which is critical to shining a light not

only on what is happening inside China, but with respect to this growing threat of transnational repression which we are discussing today.

This is also an area for our multilateral engagement with allies and partners. We have important platforms, such as the Media Freedom Coalition and the Freedom Online Coalition, which are building, I would say, like-minded solidarity to respond to this problem more collectively, and recognize that it is truly global in scope, and we can't be complacent, admiring the problem, without taking more concerted action to support free and independent media and investigative journalism.

Senator OSSOFF. Thank you, Under Secretary, and I ask for your commitment to work with my office and to set up a meeting between your staff and mine to discuss how we can work together to protect and enhance press freedom and the security of journalists around the world. Will you make that commitment?

Under Secretary ZEYA. Yes, Senator. I'm happy to make that commitment and we will follow up forthwith.

Senator OSSOFF. Thank you. Looking forward to it.

Assistant Secretary HOY, I want to ask you about synthetic opioids, the precursors to which are increasingly originating within China. This is a matter of serious concern to my constituents in Georgia. It's why I worked with Senator Grassley to introduce and pass through the Senate our bipartisan Rural Opioid Abuse Prevention Act. According to the Georgia Department of Public Health, drug overdose deaths in Georgia increased by 55 percent from 2019 to 2021. According to the DEA, China is one of the primary sources for fentanyl-related substances and the precursors to synthetic opioids.

I want to ask you this question, and it's one particular to my state. I'm asking for your commitment to work through my office to consult directly with local law enforcement agencies in Georgia, as well as the Georgia Ports Authority and the leadership at the Port of Savannah, to ensure that we are mitigating the flow of illicit opioids produced and originating in China or produced and originating elsewhere with ingredients and precursors originating in China, into the State of Georgia and the United States. Will you please make that commitment to work with me with that focus on Georgia as part of your national portfolio, and to have your staff follow up with mine to set up those actions?

Assistant Secretary HOY. Senator, thank you for that question. It's an issue of the utmost importance for the Department of Homeland Security and the interagency partners that we work with, as well as our international partners. We would be happy to follow up with your office and your staff on that point.

Senator OSSOFF. I appreciate the commitment and follow-up. I just want to be clear and precise. What I'm looking for is a commitment to work with my office to connect the department directly with local law enforcement and the Georgia Ports Authority to enhance our collaboration to protect Georgians from these dangerous substances. Will you please make that commitment explicitly?

Assistant Secretary HOY. Yes, Senator. You have our commitment.



Senator OSSOFF. Thank you kindly. Thank you, Mr. Chairman, I yield back.

Chair MERKLEY. Thank you very much, Senator Ossoff.

We will now turn to Congresswoman Steel.

Representative STEEL. Thank you very much, Mr. Chairman.

A recent report from the Australian Strategic Policy Institute found that Asian women are the newest target of the CCP. Women who spoke against the CCP have been victim to repeated cases of digital harassment that result in unspeakable attacks, rape threats, and distribution of fabricated photos. We must continue to denounce the CCP harassment and disinformation campaigns. Stopping transnational repression must be a joint effort. Our country should also work with other countries to fight this abusive tactic, and let the whole world know.

Under Secretary Zeya, does the State Department have a directive to work with other countries to condemn digital transnational repression? If not, is something preventing this partnership from moving forward?

Under Secretary ZEYA. Thank you, Congresswoman, for raising a very important point with respect to digital repression and how to counter it. I will be clear—we absolutely recognize the severity of the PRC's efforts to use digital means to spread disinformation, but also to intimidate, coerce, and censor critics globally, so our response to this effort is absolutely resolute and multipronged. It is absolutely grounded in increased collaboration with allies and partners. One, we are working to expose these tactics by working with partner governments as well as the private sector and tech platforms to identify inauthentic and ultimately bullying behavior.

Second, we are working to puncture narratives, including by providing factual information through third-party researchers, and “calling out” these attacks as they occur. Third, we’re working with allies and partners to build resilience to these threats, particularly among those targeted. You described, I think quite well, the vulnerability of the courageous women and others who are speaking up about China’s human rights situation. We are working to share information and support their capacity to protect themselves online. Fourth, as I mentioned in my comments to Senator Ossoff, we are absolutely determined to promote and protect open and resilient information ecosystems so that at-risk journalists and others can continue their vital work, free from reprisal and threats.

Representative STEEL. Thank you for your answer. Are State Department officials equipped to identify transnational repression attacks from the CCP? Do officials communicate with other agencies or officials in other countries to help fight future attacks?

Under Secretary ZEYA. Thank you for raising this question. We are continually gathering information from public as well as private sources to consider all the facts at our disposal. As I noted earlier, in what is an evolving tactic of transnational repression, these inform our efforts in coordination with allies and partners, with multilateral actors, with civil society and the private sector. So I would say we are in a continual mode of reviewing all credible information with respect to PRC transnational repression, as well as PRC officials’ specific responsibility for these actions.

Representative STEEL. So is there any way possible that Congressmembers can get into that information and data that you collected?

Under Secretary ZEYA. Well, Madam Congresswoman, I would certainly recommend that we could follow up with a briefing for your staff, where we might be able to discuss this information in more specific detail. I'm happy to commit to that.

Representative STEEL. I really appreciate that. Mr. Chairman, I yield back.

Chair MERKLEY. Thank you so much, Congresswoman Steel. Now we'll turn to Congressman Mast.

Representative MAST. Thank you for your time today, Under Secretary Zeya.

I have a brief statement on this, and then I'd love to know your analysis and your thoughts. My understanding is that there are red notices that are published through INTERPOL saying we need an extradition of this individual or we need this person to be detained or arrested for this reason, because of accusations of these crimes. We know that this is something we use. China uses it as well, as well as other countries.

My understanding is that China is using this for the purpose of political suppression, getting people extradited back to China, again, for the purpose of political suppression, and not because they've committed "crimes" that wouldn't be considered anything other than free speech. So what is your understanding of that occurring? And then to go beyond that, has there been success with the administration in combating what China is doing with these red notices? Are there other government agencies that China is using in a similar way for political repression to bring people back to be detained in China in other ways that we might be missing? That is the breadth of my question.

Under Secretary ZEYA. Thank you, Representative Mast, for raising a very important point. I will be clear, we absolutely share your concern for the potential misuse of INTERPOL systems to target dissidents, human rights defenders, activists, journalists, and others via PRC transnational repression.

Now, while the Department of Justice is the lead U.S. agency on INTERPOL, the State Department has worked in close collaboration with DOJ. Some specific successes we've had were on the successful election campaigns for two U.S. representatives to two key INTERPOL bodies, including the Executive Committee. And this is part of our determined effort to prevent the misuse of INTERPOL's tools.

We're also working to identify and provide more tools to support INTERPOL's Notices and Diffusions Task Force, to protect the integrity of red notice requests and wanted persons diffusions. I'd like to defer to Assistant Secretary Hoy, who I think has more to offer here.

Assistant Secretary HOY. Thank you, Congressman. I'm pleased you raised this issue. This is something I care about a lot, as a former staff member at INTERPOL. INTERPOL—after conducting a comprehensive analysis of its tools and the way they might be abused—undertook a series of reforms over a number of years. But in 2016, it stood up the taskforce that Under Secretary Zeya ref-

erenced, on which I used to work, that works very hard to ensure that requests from member countries are vetted for exactly the concerns that you raised.

If those issues are identified, obviously, the notices aren't published. However, INTERPOL only knows what it knows. It only knows information that's available through public sources, or information that's shared with it by its member countries. So the administration, as has been mentioned in this hearing, has been focused on this issue of transnational repression and has launched an internal effort—an interagency effort to ensure that the U.S. Government is doing everything it can to support the reforms that INTERPOL itself launched.

That includes ensuring that the U.S. Government is sharing with INTERPOL the information that it might have that indicates that a request for a red notice or other request might not be for legitimate law enforcement purposes, but actually to persecute dissidents. And if the U.S. Government receives a request—an INTERPOL notice or another request for law enforcement cooperation—law enforcement agencies, including the Department of Justice and the Department of Homeland Security, conduct due diligence to look into whether or not the request is for a legitimate law enforcement purpose.

If it's identified that it's not, that's information that we have sought to—and are working harder to strengthen our efforts to—share that information with INTERPOL where relevant, so that INTERPOL can take appropriate action with respect to the request. Thank you.

Representative MAST. Thank you. I yield the remainder of my time.

Chair MERKLEY. Thank you very much. We have two members who may be joining us but may not be here yet, so I'll just ask, has Senator Daines or Congressman Malinowski joined us yet electronically?

They are not here yet, but they will be. Meanwhile, I'm going to try to explore a little bit more this process by which Americans or migrants living in the United States who are experiencing their family members back in China being harassed, perhaps detained, perhaps disappeared, perhaps threatened—how they report that. You all clarified that there is an FBI website addressing this, so that is the primary point of contact.

Let's imagine a situation in which a citizen back in Oregon shares with my office that their family is being harassed because of their statements about Chinese human rights violations. I direct them to this FBI website. The FBI looks at it and says, Well, this isn't a crime within the United States, because it's something happening back in China. It's not the FBI that has the ability to engage in the intelligence operation to know who is ordering that harassment or if, indeed, that action is related to the action of an individual in the United States. Meanwhile, that FBI report doesn't necessarily get to the Department of State or the Department of Homeland Security.

So I want to clarify—at what point does a report being made at the FBI website—is it immediately shared with the Department of State, so the Department of State can start to think about who is

responsible? Is there coordination with the intelligence community to help determine who is making that order? Because if our main tool is to say, Hey, China, if your folks are involved in this, they're going to be sanctioned, they're going to have a travel restriction or an investment restriction, or a visa restriction—but I'm not seeing that there is really a clear path to make that an effective tool.

So I guess I'll boil down my question to you, Under Secretary Zeya. Do you immediately get notified? Do we feel that there is really an effective pathway in which you're able to have this tracked down and effectively respond in a way that makes China think twice about having engaged in such retaliation against family members back home in China?

Under Secretary ZEYA. Mr. Chairman, thank you for probing in more detail on, let's say, the operational mechanisms of our coordination. I'm not able to share the details in this public hearing, you know, based on a hypothetical, at what point it would occur, but I would propose that if we could follow up with a briefing, a closed briefing, for you and other Commission members, we could describe more in detail how this works. I will say, though, I'm hearing loud and clear your concern and that of other Commission members, that this information needs to be more broadly disseminated, and what to do when, in fact, a crime is committed while outside the United States, with family members in the U.S. basically being intimidated or threatened with reprisals for family members not within our country.

I would highlight here that we have our Bureau of Democracy, Human Rights, and Labor at the State Department, which I oversee. They do receive referrals from member offices, and they are very keen to continue that direct engagement. They can take this information, act on it appropriately, and it can really help us in our own data and information-sharing efforts to ascertain what's happening and take appropriate accountability actions. So I don't want you to feel that the only route is to go the route of the FBI information for the public, or that it's only to go to local law enforcement. I think we are receptive and open to receiving queries from you and your fellow members, if you feel that there is a case that is not being acted upon or taken seriously.

Chair MERKLEY. Thank you very much, Under Secretary, and for your offer of a confidential or potentially classified briefing open to members of the Commission. We'll take you up on that offer, and we'll further pursue the appropriate way we can educate Members about how to communicate information to your team when our constituents contact us.

I want to ask one other question here, which is: We have heard from certain human rights organizations that it is common for China to have a specific member of the diplomatic community at each embassy responsible for coordinating harassment of the Chinese diaspora that is critical of China. Can you comment on that?

Under Secretary ZEYA. We would take such information very seriously and integrate it into our own efforts to determine what is happening and how we can hold individuals accountable, but I do not have further information to share in this public setting.

Chair MERKLEY. OK, great. Well, we'll pursue that further. I was struck by Congressman Smith's testimony about the brazenness of

the presence of individuals in his home district who are monitoring the behavior of the Chinese diaspora. That all just goes toward this huge assault on freedom of expression here in the United States. I know you're all very much concerned about that. That's why we're holding this hearing emphasizing that. I certainly appreciate it. I think we're going to have a lot more work to do to try to curb or end these strategies, not just by China but by other governments.

Let me turn to the Co-chair, Congressman McGovern.

Co-chair MCGOVERN. Thank you, Mr. Chairman. I just have one question, then I have to go to another hearing. Under Secretary Zeya, you know, in February Chair Merkley and I sent a letter to Secretary Blinken about reports that Uyghurs in Morocco, Saudi Arabia, and Kazakhstan might be at risk of refoulement to China, where, obviously, they could face torture and imprisonment and other kinds of abuse.

In April, Amnesty International reported on an imminent refoulement of a mother and daughter from Saudi Arabia to China. I don't know whether you can tell us what the State Department has done on these cases, and I guess I request that you urge the White House to ensure that the Uyghur cases are on President Biden's agenda if, in fact, he does go to Saudi Arabia next month.

Under Secretary ZEYA. Thank you, Mr. Chairman, for citing your letter, which I read carefully. Certainly, your concern on refoulement is a shared one by this administration. As I noted in my opening remarks, this was an element of the Human Rights Council statement that the Netherlands led in terms of reaffirming the importance of countries respecting their obligations on nonrefoulement.

With respect to Saudi Arabia and Morocco, I can assure you that the United States is closely tracking and engaging at high levels with the governments in question on this issue. This applies to Kazakhstan as well. And I can tell you that I raised this issue personally on my visit to Kazakhstan just a couple of months ago. This is an ongoing and high-level concern for our engagement.

Co-chair MCGOVERN. I would just close by reiterating my hope that, as much as I hope the President does not go to Saudi Arabia, if he does, that he raises this issue with the government there, because, again, human rights organizations have pointed to the fact that Saudi Arabia may very well be engaged in these activities. As I pointed out—I gave an example of a specific case, so I hope there will be a recommendation that if he does go, he raises this issue specifically.

Under Secretary ZEYA. Thank you, Mr. Chairman. We will certainly convey your concern and request.

Co-chair MCGOVERN. Thank you. I yield back.

Chair MERKLEY. Thank you very much, Congressman. I might add, in that vein, that Saudi Arabia has worked to sweep several individuals out of the state of Oregon, and we found that this is a practice around the United States, of those who have been involved in significant crimes against American citizens, including murder, rape, and other egregious activities. Senator Wyden and I have made a big issue out of this, and we really want to convey that it's so important that this get raised, along with other human rights issues, if the President proceeds to go to Saudi Arabia.

Let me now turn to Senator Daines.

Senator DAINES. Senator Merkley, thank you.

I want to thank you all for coming before this Commission today. I've spent more than half a decade actually professionally working in China as an expat in the private sector. I've led several congressional delegation visits to China, as well as its neighbors. As I look at what's going on at the moment, it's clear the United States needs to work closely with our allies to counter China's growing economic coercion and influence, as well as its efforts to export its surveillance state abroad, including initiatives to silence criticism abroad and intimidate or harass the Uyghurs, Tibetans, or dissidents who no longer reside in the PRC.

Under Secretary Zeya, it's readily apparent that China is not satisfied with simply censoring its own population, but aggressively seeks to influence speech and actions abroad, including the self-censorship of dissidents, foreign publishers, businesses, or academic journals related to China. What are the long-term effects of such actions and what is being done to help both partners and allies in the region, as well as the private sector and private sector stakeholders, to withstand such pressure?

Under Secretary ZEYA. Thank you, Senator. You raise a very important point with respect to self-censorship. You know, we absolutely reject this, and we find it unacceptable that PRC surveillance, harassment, and intimidation is prompting its own citizens and others abroad to self-censor their words and actions out of a fear of reprisal or retaliation. Respect for freedom of expression, as you know, is a bedrock American principle. This is integrated into our transnational repression response, as we call on the PRC to respect the right of those inside and outside their borders to express their own opinions.

As you noted, working with allies and partners is absolutely essential, so we are working with foreign governments to expose these tactics through our Global Engagement Center, and through other multilateral efforts, such as the Freedom Online Coalition and the Media Freedom Coalition, which Canada is leading at this moment. We are also working, as I noted, to puncture PRC narratives in this space and provide factual information that sheds a light, an antiseptic light, on the misinformation and propaganda being put forward by the PRC side.

We're working very closely with allies and partners to build resilience to these threats. Just earlier this month our Global Engagement Center signed a new and important memorandum of understanding with the United Kingdom to enhance our already strong counter-disinformation and counter-propaganda activities. The final element of this effort is what I noted earlier in the testimony, an imperative to really promote and protect open and resilient information ecosystems as a counterpoint to the great firewall and the absolute censorship exercised by the PRC, by meeting the critical needs of at-risk journalists, supporting long-term sustainability of independent media, enhancing the impact of investigative journalists, and bolstering all of these actors' resilience to legal and regulatory challenges, which are often censorship in disguise. So initiatives such as the journalist protection platform, part of our Summit for Democracy, and the Presidential Initiative for Democratic Re-

newal, are very important in terms of an affirmative effort to allow a counterpoint to this nefarious disinformation and self-censorship.

Senator DAINES. Thank you. I want to follow up with a question that relates to the digital yuan, because I think there's also—you used the word “nefarious.” As you know, China's in the process of testing a digital yuan. When most countries look into digital currencies, they're very concerned about privacy implications. China's motivation stems in large part from a desire to gain insights into the financial lives of its citizens. Under Secretary, how could a push by the Chinese government to spread the usage of the digital yuan outside of its own borders threaten human rights in neighboring countries and countries where China has made significant capital investments?

Under Secretary ZEYA. Well, Senator, I would concur, there is absolutely a human rights nexus with the digital yuan, or what is often called the e-CNY. We believe that the PRC's very poor record of responsible behavior in cyberspace and misuse of technology raises very serious concerns about widespread adoption of platforms and standards related to tech developed by the PRC in general and this includes the e-CNY. We have very well-based concerns that e-CNY could pose a heightened privacy and consumer protection risk and could also enhance the PRC's surveillance and social control capabilities—some of their primary tools for transnational repression—and further extend that globally.

So we are urging individuals, businesses, and global financial institutions to assess these risks cautiously and to integrate human rights concerns before considering any use of e-CNY. Our counterpoint to that is also an affirmative agenda of using technology in a way that serves our people, protects our interests, and upholds our democratic values. That is part of our multilateral efforts with allies and partners to ensure responsible development of digital assets that will put guardrails in place that prevent this kind of misuse of technology from proliferating more widely.

Senator DAINES. In the 30 seconds that I have left, and this would be for both of you, how are your agencies seeking to improve monitoring, measurement, and effectiveness of efforts to counter transnational repression? I'm about out of time, so we'll start with the Under Secretary first.

Under Secretary ZEYA. Well, you know, monitoring and evaluation is a critical element of our work through the department as a whole. I think we are investing in that and ensuring that we are not simply putting programs in place, but really, as I emphasized at the top, our transnational repression effort is results oriented. So we need to see that we are having a measurable impact on the problem we are seeking to address.

Senator DAINES. Your comment on that?

Assistant Secretary HOY. Thank you, Senator. This is actually an opportunity for me to go back to a point that the Chair made earlier about his concern that reports of individuals who may be subject to an act of transnational repression on U.S. soil might report it to the FBI, and then it might stay there and not be shared with the FBI's interagency partners. I just want to make a point that the FBI has task forces around the country, Homeland Security In-

vestigations under the Department of Homeland Security as a participant, and task forces all over the country.

So when reports do come in to the FBI, and those are investigated, that is shared within the interagency law enforcement community. So that's an excellent way for the law enforcement community to be monitoring trends, whether or not it ends up in a criminal investigation. It's a way for the law enforcement community to know what's happening and to ensure that that helps shape our response as a law enforcement community to the activity we're seeing. Thank you.

Senator DAINES. Thank you. Senator Merkley, thank you.

Chair MERKLEY. Thank you very much, Senator Daines. Thank you for bringing your direct experience in China to this conversation today. We are so pleased to have Congressman Malinowski with us. He has direct experience working in the Department of State in these areas. Let me turn it over to you for your opportunity to make comments and ask questions.

Representative MALINOWSKI. Thank you so much, Senator Merkley, for holding this hearing. Under Secretary Zeya, good to see you, way over there. I apologize for missing your testimony and most of the exchanges. I would assume most of the obvious issues have been covered. Obviously, I share the concerns of everybody in this room with respect to China and other countries reaching beyond their borders to harass, intimidate, and harm people who are critics of their governments. I applaud the administration for identifying transnational repression as a particular threat.

I have a human rights background. I do not see this as a human rights issue. I see this as part of the United States exercising—our government exercising—its most fundamental responsibility and that is to protect people inside our country. This is a national security issue and as such, I think it should be centrally elevated over virtually everything else that we do with the governments that are responsible for this kind of conduct.

With respect to China, one aspect of the CCP's efforts that I've been concerned about for some time is pressure on American companies and other foreign companies to censor their employees, to change the ways in which they do business, to avoid any real or perceived criticism of the Chinese government. There was, of course, a case a couple of years ago that got a lot of attention involving the Houston Rockets, the NBA team, which did in fact seek to punish one of its American employees for personal speech that was critical of the Chinese government. I think that's an ongoing phenomenon.

I wonder whether you have any thoughts about the proper role of the U.S. Government and Congress in developing standards for American companies, multinational companies, when it comes to how they should respond to that kind of pressure.

Under Secretary ZEYA. Thank you, Representative Malinowski, for raising this very important issue, that was also raised by Senator Daines, about self-censorship. Certainly we reject PRC surveillance, harassment, and intimidation that is prompting its own citizens and others abroad, as you noted, to self-censor their words and actions. We enshrine freedom of expression as a bedrock American principle centered in our foreign policy, so we are resolute in



supporting exercise of that right and we absolutely call on the PRC to respect that right of those inside and outside its borders to express their own opinions.

I think our engagement with the private sector is ongoing with respect to business advisories for Hong Kong and Xinjiang that have made clear that we need to engage American companies directly to ensure that they do not facilitate or fall victim to PRC repression or censorship efforts. So I would say this is an ongoing area of engagement as part of our whole-of-government effort to respond to and curb PRC transnational repression.

Representative MALINOWSKI. Should we prohibit U.S. companies from complying with censorship requests?

Under Secretary ZEYA. In terms of prohibition, I think I'm not in a position to pronounce on that point, but we certainly regularly engage U.S. companies and point out where I think quite clearly they don't want to be part of the PRC's repressive efforts inside, and certainly outside, China, within U.S. borders.

Representative MALINOWSKI. Well, it's an unfair question, because it would be really up to the U.S. Congress, but I do think it is within the administration's purview, as you've done in other similar realms, to be thinking about the development of voluntary standards that go beyond just raising concerns in individual cases. I think we've been very defensive about this. Something happens, and then we express concern. I think there's at least room for a more proactive effort to develop preemptive standards that companies could at least sign up for.

I'm going to cheat a little bit here. We're talking about transnational repression, and it's hard to do that with regard to China alone. The President is embarking on a trip to Saudi Arabia, which was responsible for the most horrific act of transnational repression aimed at somebody within the United States in recent years. I wonder whether you guys can assure us that those operations to target, harass, intimidate, and pressure critics of Saudi Arabia within the United States have ceased. Has the State Department conferred with the FBI to assure itself of that, hopefully, fact?

Under Secretary ZEYA. Well, thank you, Representative, for sharing your concerns. I would say my preparation for this hearing was focused on transnational repression from the PRC, but we certainly take your concerns onboard with respect to Saudi Arabia. Our efforts to curb transnational repression are absolutely global, and we will take your position into account. There's really nothing further I can share here in a public hearing.

Representative MALINOWSKI. OK. I think it would be very helpful to have an assessment from the FBI, because the case we all know about, the Khashoggi case, was the tip of the iceberg. I think we all know that there is routine harassment and intimidation of a number of people in the United States.

Then finally, again, a global question. The only law on our books, as far as I know, with respect to transnational repression, is the Arms Export Control Act, which prohibits arms sales to any country that engages in a pattern of intimidation and harassment of persons in the United States. Does the State Department have any

process by which it evaluates compliance with that standard with regard to countries around the world?

Under Secretary ZEYA. Well, one of the points that I made in terms of our multilateral responses to transnational repression is certainly focused on the area of export controls and human rights. This is one of the priority action sets from the Summit for Democracy, where we are working with like-minded countries to develop new norms that are going to strengthen collective action and responsibility to ensure that these issues are integrated not only by the United States, but by several other leading allies and partners around the world.

Representative MALINOWSKI. OK. That's not a direct answer to my question, but we will follow up. Thank you very much, and I yield back.

Chair MERKLEY. Thank you very much, Congressman Malinowski, and for the expertise you bring on human rights to this conversation.

As we wrap up here, I want to note that in the conversation with Senator Daines, you referred to e-CNY as a term for the digital yuan. Can you tell us what e-CNY stands for?

Under Secretary ZEYA. I would have to ask my staff to give that relevant detail. I'm sorry about that.

Chair MERKLEY. Very good. We were speculating here that it was electronic currency national yuan, but I had not heard that term before, so thank you.

Both of you mentioned that the FBI has a website for transnational repression, so I asked my team to print out information regarding that, and I have here a copy of several pages of the website. In addition, it has information in many different languages including Uyghur and Chinese. I'll submit those for the record.

I was struck in looking at this website that it says, "How to Report." It says: Contact your local FBI field office, contact the FBI online at [tips.fbi.gov](https://tips.fbi.gov). Then it provides a different website in the Uyghur language and Chinese language, which is [fbi.gov/tips](https://fbi.gov/tips), but nothing specific about a hotline for transnational repression. Of course, thousands and thousands of things come in to the FBI on a generalized tip hotline, so maybe one of the things we can explore is whether there needs to be a more specific way to channel reports of transnational repression.

I was also struck in reviewing this that, while the FBI website does mention that threatening or detaining family members in a home country is a form of transnational repression, all the rest of the information is really about threats to those inside the United States. I really want to see how we bring attention to this threat against people in the home country because it is such an effective strategy for China in discouraging freedom of speech, freedom of the press, and freedom of assembly here in the United States. It's just so absolutely unacceptable.

I just want to conclude by noting that I really appreciate, Under Secretary Zeya and Assistant Secretary Hoy, the work you're doing on transnational repression. It is a growing problem and it's magnified by social media and by new technologies, surveillance and facial recognition and forms of communication. It is an assault on the

freedom of the citizens and residents of the United States of America that we need to do all we can to develop effective responses to.

I note that we are anticipating written statements from the Uyghur Human Rights Project and Freedom House that will be entered into the record when they are received, without objection, and that the record will remain open until the close of business on Friday, June 17th for any items members would like to submit for the record or any additional questions for all of you as witnesses. Again, thank you very much for your expertise and your presentations and your work on this important issue. This hearing is adjourned.

[Whereupon, at 11:44 a.m., the hearing was concluded.]



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# **A P P E N D I X**

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## PREPARED STATEMENTS

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### PREPARED STATEMENT OF UNDER SECRETARY ZEYA

Chairman Merkley, Co-chair McGovern, distinguished Members of the Commission; thank you for the opportunity to testify today.

As Secretary Blinken noted in his recent speech, “The scale and scope of the challenge posed by the People’s Republic of China (PRC) will test American diplomacy like nothing we’ve seen before.” Few things are more emblematic of this challenge and the need to contest the PRC’s behavior than its transnational repression. It is the most sophisticated form of repression that exists in the world today. It is pervasive, it is pernicious, and it presents a threat to the values we hold dear as Americans and the integrity of the rules-based international order.

From the ongoing cases of Uyghurs at risk of refoulement to the May 18 indictment of Shujun Wang and four PRC intelligence officers in New York for spying on activists in the United States, the reach and frequency of the PRC’s global repression is growing more alarming by the day. The historical data also proves that this phenomenon is not a recent one. NGOs have documented thousands of cases over the last several years of the PRC conducting involuntary returns to the PRC from over 120 countries worldwide.

Additionally, the extent and sophistication of PRC tactics are deeply concerning. They include physical threats, harassment, and surveillance against individuals; threatening individuals’ family members within the PRC with detention, imprisonment, or the loss of economic opportunities; digital threats including online harassment, surveillance, and other malicious cyber activity, and use of disinformation and online smear campaigns; misuse and attempted misuse of other states’ immigration enforcement mechanisms and international law enforcement systems, including INTERPOL; and applying direct bilateral pressure on other nations to return individuals to the PRC. PRC agents apply these tactics against individuals of all nationalities, including U.S. citizens in the United States.

In response to these threats, the Biden-Harris Administration is executing a multifaceted strategy to counter, deter, and mitigate their prevalence and impact. It is grounded in an approach that is:

(1) Whole-of-government—The Administration has spearheaded a sustained interagency effort to encourage information sharing within the USG on the PRC’s transnational repression; coordinate on public-facing materials to raise awareness; threat information sharing with partners, conduct outreach and offer resources to victims; and optimize accountability tools.

(2) Inclusive—We are proactively engaging the full spectrum of stakeholders impacted by the PRC’s transnational repression, including most importantly, the targeted communities themselves, such as Uyghurs, Tibetans, Falun Gong practitioners, Hong Kongers, and human rights defenders; civil society representatives; like-minded and affected governments; and the business and investor community.

(3) Agile—To address the PRC’s ever-evolving tactics and reach, we are increasing cooperation with government and non-government partners to collect data about the incidence, methods, and perpetrators of transnational repression, publicize it, and adapt our approach accordingly.

(4) Results oriented—Our involvement in cases of transnational repression has literally saved lives, and we prioritize our engagement to achieve practical results for individuals at immediate risk.

The Administration’s strategy revolves around four key pillars.

First, we are using all available tools, in coordination with our interagency partners, to promote accountability for the PRC’s transnational repression and to help support those brave enough to speak out against serious human rights abuses in the PRC. These tools include visa restrictions, investment restrictions by the Treasury Department, export controls by the Commerce Department on technology that could be misused to help facilitate transnational repression, and, of course, law en-

forcement actions in the United States to investigate and prosecute perpetrators. The Secretary's March 2022 announcement of visa restrictions against PRC officials involved in transnational repression and the Treasury Department's December 2021 announcement of investment restrictions against PRC entities manufacturing and exporting surveillance technology are two recent examples of actions taken by this Administration.

Second, we are curbing the PRC's ability to perpetrate these abuses by engaging third countries that may be implicated, willingly or not, in the PRC's transnational repression efforts, as well as international law enforcement agencies and the private sector. We are facilitating more rapid diplomacy for individuals at risk of refoulement, including immediate and high-level engagement with host governments to prevent forced repatriation and help ensure their safety. We continue to support INTERPOL reforms and good governance that strengthen safeguards to prevent countries from using INTERPOL systems for political or other improper purposes to target peaceful activists or those fleeing repression. Our federal assistance programs are empowering civil society activists and others to mitigate and counter the PRC's transnational repression through providing digital security tools and financial assistance. Through the Summit for Democracy and other forums, we are engaging with the private sector to ensure that firms are cognizant of and have the tools to counter the PRC's increasingly sophisticated digital authoritarianism.

Third, we are building the resilience of targeted communities in the U.S. and around the world, including through listening sessions led by U.S. government officials, to better understand the needs and develop tailored responses. Through our engagement in Washington and at our embassies, we are proactively engaging with affected communities, understanding their challenges, and developing solutions in partnership. Additionally, we are amplifying the voices of affected communities by shining a light on transnational repression and bringing it out from the shadows. We are now reporting on transnational repression in the Department's annual Country Reports on Human Rights Practices, and the annual Trafficking in Persons Report. We are also supporting affected communities by advocating for individual cases of transnational repression where family members of activists and others have been imprisoned or disappeared in the PRC.

Fourth, we are engaging our allies and partners to mount coordinated multilateral responses. For instance, we work with partners to jointly advocate for political prisoner cases, many of which have ties to transnational repression. This included a "Voices of Political Prisoners" event co-led by Secretary Blinken and Lithuanian Foreign Minister Landsbergis at the December Summit for Democracy. Additionally, in coordination with the Commerce Department and with the support of Canada, France, the Netherlands, and the United Kingdom, we partnered with Australia, Norway and Denmark to launch the Export Controls and Human Rights Initiative, which seeks to stem the tide of PRC and other authoritarian governments' misuse of technology. Through the US-EU Trade and Technology Council, we are working with our European partners on developing common standards that will address the misuse of technology that threatens human rights and facilitates transnational repression. Lastly, we have sought to call out repressive acts that fall in the category of transnational repression in statements or resolutions at the UN General Assembly and other UN bodies. And we intend to do more.

In closing, let me repeat—the PRC's transnational repression poses a direct threat to human rights and democracy, the rules-based international order, and even our own citizens and institutions. It also poses a direct threat to citizens and communities in the United States. We must reckon with this serious threat, and we are combating it with the attention, seriousness, and resources it deserves.

Our close partnership with Congress will be integral to this effort. Bipartisan legislation such as the Uyghur Forced Labor Prevention Act and the Hong Kong Human Rights and Democracy Act, among many other bills, has given us the tools we need to confront the PRC's egregious atrocities and human rights abuses. We welcome an ongoing partnership with Congress to refine our tools and our diplomatic approaches to address the PRC's transnational repression threat.

Chair Merkley, Co-chair McGovern, distinguished Members, let me again express my appreciation for the opportunity to testify today, and I look forward to your questions.



## PREPARED STATEMENT OF ASSISTANT SECRETARY HOY

Chair Merkley, Co-chair McGovern, and distinguished Members of the Commission:

It is a privilege to appear before you today to discuss the critical work the Department of Homeland Security (DHS) is doing to combat the ongoing campaign of transnational repression (TNR) waged by the People's Republic of China (PRC).

DHS combats diverse and dynamic threats to the homeland, many of which have a transnational nexus. I lead the Office of International Affairs (OIA) within the DHS Office of Strategy, Policy, and Plans, which oversees DHS's activities to advance our strategic and policy objectives and raise security standards globally across the full range of the Department's missions in order to protect our homeland. Collaboration with our international allies and partners is critical to preventing threats to our homeland, including threats emanating from malign state-sponsored activity.

One such malign state-sponsored activity directly tied to transnational repression involves foreign governments that harass and intimidate their own citizens residing in the United States. These governments, to include the PRC, also target U.S. citizens and permanent residents who have family residing overseas. In either case, these actions may violate individual rights and freedoms under U.S. and international law.

As part of the whole-of-government effort, DHS contributes to the federal interagency response in combating many of the threats the PRC poses to our homeland and our interests abroad. Today, I am focused on the threat of transnational repression and the PRC's efforts to reach across national borders to silence dissent among its citizens abroad as well as non-citizens, including U.S. citizens, they see as a political threat. This practice represents a serious danger to human freedom and security and is an issue of significant human rights and national security concern to DHS.

The Department will not tolerate nation states seeking to surveil, intimidate, or do harm to individuals residing in the United States. By prioritizing efforts to counter transnational repression, we protect the human rights of those residing within our borders and we enhance our national security. DHS brings unique authorities to bear in the whole-of-government effort to combat and prevent the sustained PRC campaign of repression that has harmed countless individuals within our borders and violated our national sovereignty.

While the PRC's activities of concern stretch across many fronts, during today's testimony, I will highlight three priority lines of effort through which the Department has worked to fend off attempts by the PRC to commit repressive acts on U.S. soil. First, I will focus on Operation Fox Hunt, through which the PRC—under the guise of its anti-corruption efforts—seeks to intimidate and ultimately repatriate, voluntarily or forcibly, current and former citizens of the PRC and their families living overseas whom it sees as a political or financial threat. A team from U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) leads the Department's efforts to combat this repressive campaign and works across the interagency, particularly with our colleagues at the Federal Bureau of Investigation (FBI), to thwart these extralegal attempts. Second, I will discuss a particular line of effort I have helped lead to counter abuse of the International Criminal Police Organization (INTERPOL), a topic which is connected to the PRC's wider attempts to set the rules of the road by influencing international bodies through agenda-setting and elections. And finally, I will discuss the important work of the Office for Civil Rights and Civil Liberties (CRCL) to engage and protect Uyghur and other communities affected by transnational repression within the United States.

## THWARTING OPERATION FOX HUNT

The Department has worked for nearly two decades to combat targeted harassment on U.S. soil by the PRC. ICE, through HSI and with interagency partners like the Department of Justice (DOJ) and the FBI, has targeted a PRC government effort known as Operation Fox Hunt, through which Beijing targets and seeks to repatriate and prosecute PRC individuals living in foreign countries whom the PRC alleges are guilty of corruption and should be returned to the PRC to face criminal charges. The PRC has portrayed this as an international anti-corruption campaign, but the effort has in fact been used to target critics and dissidents living around the globe, including within the United States, using extrajudicial channels. In total,

through these efforts, the PRC has returned over 9,000 individuals worldwide to China, where they may face imprisonment or other repressive measures.<sup>1</sup>

The PRC often uses illegal tactics to surveil, threaten, and harass its targets, both in person and digitally, including in the United States. Such attempts circumvent established means of law enforcement cooperation, directly violate U.S. sovereignty, and highlight that the PRC often lacks a legal basis for pursuing such targets. There have been a number of cases in recent years that illustrate illegal PRC activity in the United States. As just one example, in October 2020, eight individuals were charged as illegal PRC agents in the United States who conspired to surveil, stalk, harass, and coerce U.S. residents to force those residents to return to the PRC. In this instance, six defendants were also charged with conspiring to commit interstate and international stalking. The defendants were allegedly acting at the direction of PRC government officials as part of Operation Fox Hunt's global, concerted, and extralegal repatriation effort.

The complaint stated that defendants participated in a plan to bring an individual's father to the United States against his will to then leverage the father's surprise arrival in the United States to coerce the son's return to the PRC. Conspirators consulted with one another to determine how the individual's father should lie to U.S. immigration officials regarding the purpose of his visit to the United States. Other actions taken by the defendants included surveilling and harassing the daughter of the individual in question, as well as her friends, on social media.<sup>2</sup>

In support of the FBI and other U.S. government law enforcement and intelligence community efforts to combat Operation Fox Hunt, DHS seeks to provide traditional and non-traditional disruption options to overall investigative strategies pursuant to its broad scope of criminal and administrative immigration and customs-related authorities and capabilities. In support of U.S.-based efforts to counter Operation Fox Hunt, HSI primarily works with and through its FBI partners and their Counterintelligence Task Forces.

To mitigate the threats posed by the PRC's illegal activity outside its borders, DHS will build on recent successes and continue its work to prevent attempts by the PRC to illicitly surveil and harass individuals in the United States.

DHS will continue to conduct due diligence when presented with information by PRC authorities on alleged fugitive case files. As part of routine police-to-police information sharing, HSI receives requests for information from the PRC's Ministry of Public Security (MPS) for fugitives from China whom the Ministry alleges have taken criminal proceeds with them to the United States. Ensuring appropriate due diligence prevents PRC authorities from using HSI-furnished information to engage in transnational repression, that is, using this information to target dissidents and other opponents. These requests are vetted and handled in accordance with DHS and HSI policies regarding information received from foreign law enforcement sources, and if warranted, are investigated for potential violations of U.S. law. Requests for information sent to HSI or ICE field offices from the PRC must be fully vetted at HSI or ICE headquarters to ensure coordination and compliance with agency policy before any information is shared with MPS.

HSI will also continue to work with the interagency to investigate individuals linked to Operation Fox Hunt. While cases and investigations are ongoing and specifics cannot be relayed through open testimony, HSI has helped to identify subjects involved in Operation Fox Hunt and potential targets of the program. For example, HSI has tracked assets used to facilitate Operation Fox Hunt and provided this information to partner agencies, which has ultimately led to the disruption of those operations.

HSI has also sought to raise the awareness of other relevant DHS operational components and across the interagency concerning the PRC's use of U.S. law enforcement agencies to unwittingly assist Operation Fox Hunt. DHS has worked to ensure the tools our components have to counter the PRC's illicit activity are fully utilized. For example, U.S. Customs and Border Protection has used its intelligence-based targeting programs to identify PRC-affiliated operatives traveling for nefarious purposes, and will continue to advance and strengthen these efforts.

The PRC has sought to message the legality and legitimacy of Operation Fox Hunt through measures such as announcing the campaign alongside the dissemination of a list of 100 individuals the PRC said were sought through INTERPOL red

<sup>1</sup> The Threat Posed by the Chinese Government and the Chinese Communist Party to the Economic and National Security of the United States—FBI; Countering Threats Posed by the Chinese Government Inside the U.S.—FBI.

<sup>2</sup> Eight Individuals Charged With Conspiring to Act as Illegal Agents of the People's Republic of China—OPA, Department of Justice.

notices.<sup>3</sup> Like other countries, the PRC uses INTERPOL notices to imply international endorsement of its pursuit, even though INTERPOL notices are not subject to judicial review and their purpose is not to serve as any such political or other endorsement.

#### SUPPORTING INTERPOL REFORMS

The PRC's repressive activities span far beyond U.S. borders and involve efforts to manipulate the rules and mechanisms of international law enforcement cooperation. The PRC has attempted to influence international bodies such as the United Nations to achieve its aims. The U.S. government wants to be sure it is taking all appropriate measures to ensure that the PRC is not in a position to exploit for nefarious purposes the unique tools that INTERPOL provides to bring criminals to justice. Uyghur and other communities in the United States have highlighted the detrimental impacts of politically motivated INTERPOL red notices issued at the request of the PRC government, which have resulted in the detention of community members overseas.

Therefore, I want to highlight the measures the U.S. government and the Department are putting in place to support INTERPOL in its efforts to prevent abuse of INTERPOL channels. This line of effort, which is part of the broader U.S. government work to combat transnational repression, is particularly close to my heart given my previous tenure at INTERPOL. At INTERPOL, I helped lead the group tasked with ensuring compliance of notices and diffusions with INTERPOL's Constitution and Rules, including identifying and blocking attempts to abuse INTERPOL channels to target political opponents or for other illegitimate purposes.

INTERPOL's system of notices and diffusions is the most important global policing capability it offers to its member countries. INTERPOL red notices and wanted persons diffusions are requests by INTERPOL member governments, or International Criminal Courts and Tribunals, to member countries' law enforcement agencies to locate and arrest a wanted person for the purpose of extradition or similar legal action. These requests include information allowing for the identification of the wanted person and the crime for which the person is wanted and must comply with INTERPOL's Constitution and Rules for Processing Data, which prohibit their use for political, racial, religious, or military purposes. Individuals who are the subject of a red notice or wanted persons diffusion are at risk of arrest if they travel and may suffer other negative impacts on their lives and livelihoods. Other types of notices and diffusions INTERPOL issues may have less impactful consequences, but may nevertheless be improperly used by requesting countries to harass or persecute individuals for their political or religious views.

DHS and its interagency partners have worked together over the last year to strengthen the actions the U.S. government is able to take in support of the internal reforms INTERPOL has made to target the abuse of its critical tools for politically motivated purposes. Some of the measures the U.S. government has put in place will be described in a report submitted jointly by the Departments of Justice and State in accordance with the Transnational Repression Accountability and Prevention (TRAP) Act of 2021 (Section 6503(c) of the National Defense Authorization Act (NDAA) for Fiscal Year 2022). In general, these actions are intended to strengthen the ways in which the U.S. government is able to comply with INTERPOL's request that member countries provide it with relevant information, which can be kept confidential, that would assist it in identifying notices and diffusions that might be based on political motivations.

In line with this broader U.S. government effort, DHS is working to ensure that our enforcement officers are trained in how to recognize and respond to potentially abusive INTERPOL notices and diffusions and are aware of countries known to engage in transnational repression, including through misuse of INTERPOL channels. Importantly, DHS, consistent with existing practice and legal requirements, does not use INTERPOL notices or diffusions as the sole basis for any law enforcement action, including with respect to decisions to detain individuals.

Finally, DHS is encouraging INTERPOL to increase its use of corrective measures against countries that attempt to abuse INTERPOL channels. This issue has been a particular focus for the Department's leadership, which has expressed to INTERPOL leadership our deep concern over abuse of red notices and diffusions and has urged the organization take all appropriate measures to hold accountable states that try to abuse the system. DHS appreciates INTERPOL leadership's receptiveness to these concerns and willingness to take action on these important matters.

<sup>3</sup> Operation Fox Hunt: How China Exports Repression Using a Network of Spies Hidden in Plain Sight—Freedom House.

In March, following Russia's invasion of Ukraine, the United States, alongside Australia, Canada, the United Kingdom, and New Zealand, called on INTERPOL to suspend Russian access to its system in accordance with its rules. DHS, along with its interagency partners, will continue working to ensure that INTERPOL mechanisms and processes remain robust and effective and that they uphold democratic principles and the rule of law.

#### ENGAGING AFFECTED COMMUNITIES

While DHS works to directly prevent the PRC from engaging in transnational repression on U.S. soil, we recognize this line of effort represents just one part of our important mission to counter Beijing's global campaign of repression. DHS sees the need to amplify and inform these efforts through continuous engagement with the victims of this campaign, including with the Uyghur diaspora, as well as other targeted communities. Uyghur communities face virtual harassment, threats, and attacks, including on social media platforms in the United States and around the world. For example, college education has been interrupted for some in the Uyghur community living in the United States, as financial support from family members living in China has been cut off by the PRC government. Some individuals are the subject of disinformation campaigns fabricated by the PRC government. Others are experiencing cyberattacks on diaspora organizations and Uyghur diaspora-owned email accounts. The PRC has compelled individuals to harass Uyghurs, Tibetans, Hong Kongers, and other individuals deemed unfavorable to the PRC on university campuses or during protests and other activism-related events.

Most significantly, PRC-resident family members of the diaspora, including but not limited to Uyghurs, Tibetans, and Hong Kongers living in the United States, often face retaliation, including detention and exit bans, and in the case of Uyghurs, detention in the Xinjiang Uyghur Autonomous Region (Xinjiang) internment camps. Some diaspora community members are themselves survivors of these camps.

CRCL has connected Uyghur diaspora community leaders and members with relevant DHS offices and operational components, such as the Cybersecurity and Infrastructure Security Agency (CISA) and U.S. Citizenship and Immigration Services (USCIS), to follow up on specific concerns. In response to Uyghur community leaders' questions regarding prevention of online harassment and threats to individuals and community organizations, CISA shared information on its freely available resources, namely, free cybersecurity tools for use at the individual and organizational level. CRCL has also shared with Uyghur diaspora community leaders information on opportunities for engagement with USCIS, in particular with respect to asylum cases and processes.

CRCL hosted a virtual interagency engagement in March 2022 with the Uyghur diaspora community in the United States to share information on federal resources to address threats of transnational repression. The roundtable included presentations from the White House, as well as DHS components and offices, on available resources to protect communities and address the community's concerns. Following the engagement, CRCL created and shared with participants a list of relevant federal resources. CRCL continues to engage with representatives of the Uyghur diaspora community through ongoing community stakeholder engagements nationwide.

Other federal agencies, including the FBI and Department of State, are also directly engaged with these communities and individuals.

As part of DHS's effort to strengthen the resilience of U.S.-based communities vulnerable to transnational repression, DHS Under Secretary for Strategy, Policy, and Plans Robert Silvers and the Department of State's Under Secretary for Civilian Security, Democracy, and Human Rights Uzra Zeya hosted a roundtable discussion in March of 2022 with individuals who have been the targets of transnational repression. Participants included members of the Uyghur diaspora, members of other religious and ethnic minorities, and human rights defenders who shared harrowing stories of the PRC using surveillance, spyware, harassment, and coercion to silence Uyghur individuals in the United States. Under Secretary Silvers and Under Secretary Zeya reaffirmed the U.S. government's commitment to supporting individuals impacted by transnational repression and to promoting accountability for the individuals who perpetrate these acts. They underscored the Biden-Harris Administration's resolve to push back against governments that reach beyond their borders to threaten and attack journalists and perceived dissidents for exercising their human rights and fundamental freedoms.

As part of its mission to ensure the protection of civil rights and civil liberties in all DHS policies, programs, and activities, CRCL will address transnational repression concerns raised by community stakeholders in its ongoing, regular engagement activities, especially in metropolitan areas with large Uyghur diaspora popu-

lations. CRCL will also deepen collaboration with the Department of State on priority communities for engagement.

#### CONCLUSION

DHS will remain unwavering in its efforts to combat transnational repression committed by the PRC and looks forward to working with Congress to pursue this critical mission. I thank you again for the opportunity to appear before you and to discuss our ongoing work in these areas. I look forward to taking your questions.

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#### PREPARED STATEMENT OF SENATOR MERKLEY

Good morning. Today's hearing of the Congressional-Executive Commission on China, "The Threat of Transnational Repression from China and the U.S. Response," will come to order.

In recent years, this Commission has devoted increased attention to the Chinese Communist Party and government's human rights violations in the United States and globally. We've expanded our reporting, brought in additional expertise, and held a range of hearings on the toolkit employed for these abuses. That toolkit includes economic coercion, technology-enhanced authoritarianism, and other ways to stifle criticism, avoid accountability, and undermine international human rights norms.

In this hearing, we will examine a part of that toolkit that targets individuals and communities at a very personal level: transnational repression. In addition to the egregious human rights abuses they commit within Chinese borders, Chinese authorities increasingly reach into other countries to silence dissidents, conduct surveillance, and force the repatriation of critics. This long arm of authoritarianism across borders is not just a violation of human rights, it is a violation of countries' national sovereignty.

These tactics, targeting Uyghurs, Hong Kongers, Tibetans, Falun Gong practitioners, human rights advocates, journalists, and others, add up to what Freedom House calls "the most sophisticated, global, and comprehensive" campaign of transnational repression in the world.

By Freedom House's conservative count, between 2014 and 2021 there were 214 cases of "direct, physical attack" originating from China across dozens of countries, including right here in the United States of America.

International manhunts like Operation Fox Hunt and Operation Sky Net go well beyond supposed corruption suspects to include critics and others deemed sensitive. This leaves many Uyghurs and others in a precarious position, especially as other governments at times cooperate with the Chinese government against the rights of migrants.

We have also seen the Chinese government exploit international organizations toward these repressive ends. The abuse of INTERPOL mechanisms such as "Red Notices" can trigger detentions and even rendition of the targets of transnational repression. At the United Nations, authoritarian governments seek to erode norms of universal human rights, and Chinese pressure can deny representatives of civil society or diaspora communities the opportunity to access UN forums.

Even when Chinese authorities don't reach their targets physically, they surveil and coerce them in other ways, such as by deploying spyware, threatening them in video calls, or harassing their family members who still live in China.

In response to these disturbing trends, the Biden administration has sought to elevate the issue of transnational repression both within the United States Government and in interactions with countries around the globe, whether they be like-minded countries seeking to address this menace or perpetrators of transnational repression or countries on whose soil this behavior occurs.

In today's hearing, we will hear from two administration officials at the forefront of those efforts. We wanted to hear from multiple parts of the U.S. Government because addressing transnational repression will truly require a whole-of-government approach. To raise awareness globally and prevent these tactics from becoming pervasive in the international system, we need diplomacy. To protect those targeted, we need humanitarian and homeland responses. To pursue accountability for those responsible, we need law enforcement. The Departments of State, Homeland Security, Justice, Treasury, Commerce, and others all have a role to play. This hearing will allow us to hear from two of those agencies on the steps the administration is taking to counter transnational repression from China, how they coordinate across the interagency and with other governments and international organizations, and where we have opportunity to do more.

Certain aspects of the U.S. response will be most appropriate for members of this Commission to explore in a closed session. That is especially true for certain law enforcement matters, and we are working with the Department of Justice to arrange such an opportunity in the coming weeks.

For today's hearing, I look forward to hearing from our witnesses on what their departments are doing, in coordination with partners in government, civil society, the private sector, and international community, to address transnational repression from China. The scope and complexity of this threat requires not only a whole-of-government approach but vigilance, coordination, and decisive action across the administration and Congress. I hope today's hearing helps us take a step in developing urgency around this issue and charting a path forward for addressing it.

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PREPARED STATEMENT OF REPRESENTATIVE MCGOVERN

Thank you, Mr. Chairman, for holding this hearing about transnational repression by the People's Republic of China.

In September 2020, federal authorities arrested a New York City police officer and U.S. Army reservist for acting as an illegal agent of the Chinese government. The man, originally from Tibet, had tried to ingratiate himself within the Tibetan-American community of New York. It turns out he was spying on them and advancing Chinese interests. This revelation caused fear and concern in the community.

The Uyghur Americans at Radio Free Asia who work diligently to report facts from Xinjiang, including crimes against humanity, are protected by our First Amendment's safeguard of freedom of the press. The Chinese government has attempted to silence them by punishing their relatives back home. Gulchera Hoja testified before this Commission in 2018 that two dozen of her relatives are missing, almost certainly held in reeducation camps run by Chinese authorities in Xinjiang.

These are but two examples. The Chinese government tries to deflect criticism of its human rights record by claiming that it has a sovereign right to do what it wants within its borders, and yet Chinese officials have no problem setting aside sovereignty principles when they reach across our border to threaten the human rights of Americans.

In his May 26 speech on China, Secretary of State Tony Blinken said the Chinese government "purports to champion sovereignty and territorial integrity while standing with governments that brazenly violate them." I would add that the Chinese government itself violates them. I am pleased that the Biden administration has recognized this trend and is deploying diplomatic, investigative, and prosecutorial resources to the problem.

I look forward to hearing from Under Secretary Zeya and Assistant Secretary Hoy about what their respective Departments are doing to address this issue and these violations. We want to hear whether there are additional authorities or tools that you need from Congress, including the expansion of humanitarian pathways to provide refuge to those who risk their lives to stand up to authoritarian regimes. We also look forward to getting input from the Department of Justice in a separate setting, as the Chair has mentioned.

While our focus today is China, my concern has been global. Freedom House's extensive report from earlier this month finds that 36 governments engage in transnational repression, and documented 735 incidents of "direct, physical transnational repression" between 2014 and 2021, with 85 incidents in 2021 alone.

I, along with several of my colleagues, have expressed concern over transnational repression by Egypt, Russia, and Saudi Arabia, including such heinous crimes as the murder of U.S. resident and journalist Jamal Khashoggi by Saudi officials and the poisoning of Russians living in exile in the U.K. by Russian authorities.

I hope to hear how the administration is approaching the challenge not only as a whole-of-government effort but as a global one, too.

Thank you, Mr. Chairman.

## SUBMISSIONS FOR THE RECORD

## STATEMENT SUBMITTED BY FREEDOM HOUSE

TRANSNATIONAL REPRESSION IS A DRIVING FACTOR OF THE  
DECLINE IN FREEDOM AROUND THE WORLD

Freedom House has tracked sixteen consecutive years of decline in democracy and freedom around the world. In nondemocratic countries all over the globe, political leaders rule without the consent of their citizens. They preside over brittle regimes that harass, assault, detain, and surveil those whom they perceive as threatening their grip on power. The same impulse that drives authoritarians to crush opposition at home also motivates them to pursue critics abroad. This is the phenomenon known as transnational repression, in which governments reach across borders to silence dissent among exiles and diasporas. Transnational repression is a potent tool of global authoritarianism, and it poses a threat to freedom and democracy worldwide, not only endangering those who are targeted but also violating the sovereignty of the nations in which transnational repression is perpetrated.

Freedom House has released two reports detailing this growing threat, and documenting at least 735 direct, physical incidents of transnational repression since 2014—including assassinations, abductions, assaults, detentions, and unlawful deportations.<sup>1</sup> Instances of non-physical transnational repression, such as threatening phone calls and messages, frequently occur, but because they are often difficult to verify with open source information, Freedom House did not include non-physical transnational repression in our database of 735 incidents.

THE CHINESE COMMUNIST PARTY CONDUCTS THE WORLD'S MOST COMPREHENSIVE  
CAMPAIGN OF TRANSNATIONAL REPRESSION

The information in Freedom House's database of physical incidents shows that China's ruling regime conducts the world's most sophisticated, comprehensive, and far-reaching campaign of transnational repression. The Chinese government's use of transnational repression is part of Beijing's broader campaign to extend its influence abroad, which includes media influence, economic investment, and military expansion. The Chinese government uses transnational repression more than any other country and attempts to exert political and legal influence over all overseas citizens. Since 2014, Freedom House has found evidence of Beijing being responsible for 229 of the 735 recorded incidents of physical transnational repression. But we know this is a conservative estimate of the Chinese Communist Party's (CCP) campaign, since these numbers do not include pressure put on the China-based relatives of targeted individuals, digital tactics like harassment and surveillance, or foiled attempts at physical violence such as those recently uncovered by the Federal Bureau of Investigation.

Mirroring patterns of repression at home, Beijing targets both individuals and whole groups abroad. At risk are people living in at least 36 countries around the world, including current and former pro-democracy activists, Falun Gong practitioners, Tibetans, Mongolians, Hong Kongers, Uyghurs, human rights defenders, journalists, and others who criticize the Chinese Communist Party. The CCP's campaign of digital transnational repression is unparalleled in the world. Employing spyware and digital surveillance, the PRC has infected phones and whole telecommunications networks to track targeted individuals.

Unilateral acts of transnational repression—such as the forced landing of a plane by Belarus in May 2021—are rare. Instead, our research shows that the vast majority of successful cases of transnational repression involve either overt cooperation between the origin state and host governments where targeted individuals live or manipulation of their agencies and institutions. In this respect, the Chinese government wields transnational repression especially skillfully. The PRC is adept at utilizing and exploiting established networks of cooperation, legal agreements, and vulnerabilities in countries around the world.

Last year, Beijing continued to abuse INTERPOL Red Notices, including to successfully detain Idris Hasan in Morocco despite the fact that INTERPOL cancelled the notice shortly after he was arrested. Hasan, a Uyghur activist, is now awaiting extradition to China. Ironically, Hasan had left his home in Turkey because of the

<sup>1</sup> <https://freedomhouse.org/article/new-report-transnational-repression-growing-threat-global-democracy>;  
<https://freedomhouse.org/article/new-report-more-governments-reaching-across-borders-silence-dissent-responses-lagging>

increasing pressure from Turkish authorities acting on behalf of Beijing to silence vocal members of the Uyghur diaspora. Ankara's actions against the Uyghurs, a group to which it has traditionally offered safe haven, was driven by increased Chinese economic investment in the country and closer diplomatic ties. Turkish authorities threatened several groups of Uyghurs with deportation after they had participated in protests outside that country's embassies. Uyghurs in Gulf states, such as Saudi Arabia, where many travel to make the Hajj pilgrimage, are at risk of being detained and deported to China. Freedom House is aware of information suggesting that at least four Uyghurs, including one child, face deportation currently.

A similar cooperative dynamic can be seen with other countries. Authorities in the United Arab Emirates detained a teenage Chinese activist transiting through the Dubai airport in May 2021 and allowed Chinese embassy staff to interrogate him in an effort to have him return home. The activist's girlfriend, also a Chinese citizen, was taken from a hotel in Dubai and detained for eight days at what she described in media accounts as a "black site" run by the Chinese government. She was released only after signing documents accusing her partner of threatening behavior.

#### THE PRC'S TRANSNATIONAL REPRESSION IN THE UNITED STATES

In countries where official channels of cooperation are less susceptible to manipulation, the PRC nevertheless finds methods for targeting individuals. In the United States, the PRC has targeted individuals since at least the early 2000s, when Congress passed a resolution condemning physical attacks and break-ins targeting U.S.-based Falun Gong practitioners. More recently, since 2016, through its Fox Hunt campaign, the PRC has tried to pressure individuals to either return to China to face criminal accusations or else take their own lives. Fox Hunt, and its partner campaign, SkyNet, attempt to export China's legal system beyond its territorial borders. The PRC has also targeted pro-democracy activists, including a candidate running for a seat in the House of Representatives. Agents of China's Ministry of State Security plotted to collect or fabricate damaging information on this individual or even physically assault him, fearing the impact his critical stance on China would have if he were elected to office. The PRC also surveilled artists, other pro-democracy activists, and members of the Tibetan diaspora in the United States. In these efforts, they hired private investigators, a New York City police officer, and attempted to bribe officials at the Internal Revenue Service. It is common for those living in the United States who are targeted by Beijing to receive threatening messages on social media. One Hong Kong-born American activist even discovered a drone hovering outside the windows of his home, apparently looking through his windows with a camera, though he was unable to determine who was operating it.

Possibly the biggest challenge in terms of transnational repression for the United States and other democratic countries that are home to dissidents and political exiles is the impact of coercion by proxy, in which a person's family, loved one, or business located in the origin state is targeted. Even when the dissident is out of reach of direct violence or harassment, they continue to be vulnerable to transnational repression because other people close to them can be taken hostage by autocrats. As with other tactics, the Chinese regime makes wide use of this, not only threatening family members of U.S.-based activists in China with detention or financial ruin, but also arresting and sentencing them to prison. Alongside other tactics—such as harassment, surveillance, and intimidation—transnational repression by proxy changes the way people communicate with friends, family members, and professional associates in China or even among the local Chinese, Hong Kong, Tibetan, or Uyghur community in the United States.

#### THE CCP'S CAMPAIGN OF TRANSNATIONAL REPRESSION POSES A THREAT TO DEMOCRACY THAT MUST BE URGENTLY ADDRESSED

Steps to better protect against the CCP's campaign of transnational repression, both in the United States and abroad, include:

1. Codifying a definition of transnational repression, which will facilitate the tracking of incidents at home and abroad, distinguish attacks from ordinary crime, and coordinate inter-agency action, in addition to serving as a basis for any other laws that may be needed.
2. Codification should be accompanied with appropriate training for law enforcement and other agencies that may encounter transnational repression. The Federal Bureau of Investigation has begun this effort.
3. Resilience also encompasses strategic outreach to communities that are at risk of experiencing transnational repression in order to equip them with the resources to report these activities.



4. The United States should also use its voice and vote to limit the ability of Interpol member states to target individuals through the misuse of Red Notices and other alerts.

5. The United States can also deploy a robust strategy for targeted sanctions against China for the use of transnational repression and appropriate screening of Chinese diplomats for a history of harassing diaspora members in their postings.

More details about these recommendations, and additional recommendations, are available in our reports.<sup>2</sup>

The CCP's campaign of transnational repression is a threat to the sovereignty, democratic institutions, and exercise of fundamental rights in the United States and around the globe, including by individuals who have fled abroad precisely to escape horrific violations in China. Building resilience and imposing accountability are key to curbing the CCP's campaign of transnational repression. Taking actions such as those above to impede this practice, which literally brings authoritarianism to our front doorstep is vital to protecting U.S. residents and upholding democratic values.

#### STATEMENT SUBMITTED BY THE UYGHUR HUMAN RIGHTS PROJECT

The Uyghur Human Rights Project (UHRP) welcomes the opportunity to submit a written statement for consideration by the Commission in connection with its hearing on the threat of transnational repression from China and the U.S. response. UHRP conducts research-based advocacy to promote the rights of the Uyghurs and other Turkic Muslim peoples in East Turkistan, referred to by the Chinese government as the Xinjiang Uyghur Autonomous Region, in accordance with international human rights standards.

UHRP has documented the transnational repression (TNR) experienced by Uyghurs in a series of ten reports, published from 2011 through 2022. In addition, we have called attention to the issues and made policy recommendations in 25 statements and published commentaries since 2016.

UHRP's 2019 report, "Repression Across Borders: The CCP's Illegal Harassment and Coercion of Uyghur Americans," documents how the Chinese government routinely carries out surveillance, threats and coercion on American soil to control the speech and actions of Uyghur Americans. We pointed out that the Chinese government's program of transnational repression is an ambitious and well-resourced campaign affecting all Uyghur Americans, especially the many brave journalists, activists, and students engaged in raising awareness about the crisis of repression in their homeland.

UHRP also pointed out that the intimidation campaign constitutes an ongoing series of crimes committed with impunity on U.S. persons. It is illegal under U.S. federal and state law to issue threats that interfere with free-speech rights. For the Uyghur American community, the enduring and menacing presence of the Chinese government in their daily lives deprives them of their constitutionally protected rights and freedoms.

UHRP was pleased to see our analysis of the violations on U.S. soil confirmed on every point, in the Unclassified FBI Counterintelligence bulletin on violations of Uyghur civil rights on U.S. soil (PRC), issued on August 11, 2021.

We also commend the FBI's general factsheet on TNR: Transnational Repression—What is it, How you can get help to stop it (FBI—undated).

UHRP's 2019 report details Chinese state pressure placed on Uyghur Americans to end activism, highlighting dire human rights conditions in the Uyghur region. The threats come by text, chat apps, voicemail, email, and messages delivered by third parties; some members of the community report receiving such messages on a weekly or even a near-daily basis. Non-compliance could result in family members being taken to a concentration camp.

These communications illustrate the way Chinese agents apply pressure against Uyghurs abroad through their family members at home, adding to the extreme emotional distress of separated Uyghur families.

That so many speak out, despite the dire risks, demonstrates the resilience of Uyghurs in the United States.

In his 2014 book, *The Globalization of Chinese Propaganda*, Kingsley Edney describes how the Chinese state seeks "cohesion" between its overseas and domestic messaging. The method is to enlist actors abroad to rearticulate pro-Beijing viewpoints and suppress counternarratives. Silencing Uyghurs overseas is not only about control of all Uyghur bodies, regardless of location, but also an attempt to promote China's ludicrous claim that the concentration camps are indeed "vocational training

<sup>2</sup> <https://freedomhouse.org/policy-recommendations/transnational-repression#US>.

centers.” Denying overseas Uyghurs a voice means the world is deprived of knowing the true extent of China’s ongoing crimes against humanity.

PRC transnational repression is also a challenge to the sovereignty of the United States and the authority of the U.S. government to protect the rights of its citizens and legal residents. Like other illegal Chinese government influence operations on U.S. soil, Chinese government harassment and abuse of Uyghurs from California to Virginia should be a U.S. government priority. It is a test of U.S. resolve and impacts all of us, as the limitation of some U.S. citizens’ rights by a foreign power should always be unacceptable.

#### RECOMMENDATIONS

- **Strengthen refugee resettlement programs by increasing quotas and streamlining procedures.** The U.S. government should increase their quota of refugees from China and from third countries that are likely to extradite citizens to China, such as Turkey and Thailand.
- **Uphold the non-refoulement principle.** Under international law, governments are prohibited from sending individuals back to countries where they would be at risk of persecution, torture, ill-treatment, or other serious human rights violations.
- **Restrict the export of surveillance technology.** The potential for malicious use of technology by Chinese companies active in the campaign of repression in the Uyghur Region should make countries hesitant about allowing them to operate within their borders without scrutiny. The U.S. government should work to achieve clear standards on transparency for such dual-use technologies.
- **Increase outreach to Uyghur communities.** The U.S. government should recognize the unique dangers faced by Uyghurs and other Turkic peoples residing within their borders. Outreach initiatives could include teaching Uyghurs about their legal and political rights or about basic digital security strategies to counteract the growing threat of Chinese malware and hacks.
- **Form a caucus of democratic states within INTERPOL.** Democracies make up 14 of the 15 top statutory funders of the body. These democracies could caucus together on key general assembly votes, support common candidates for key positions, and adopt policies to insulate INTERPOL against abuse, such as pushing for abusers to be suspended from accessing Interpol databases, as stipulated by Article 131 of the Rules on the Processing of Data.
- **Continue to speak publicly, with allies, about transnational repression.** Raising awareness of the threat transnational repression poses to national sovereignty and to the human rights of targeted individuals is critical to formulating a coalition and a coherent multilateral response in forums such as INTERPOL and the UN.

#### UHRP REPORTS AND BRIEFINGS

1. New UHRP Report Finds Arab States Have Deported or Detained 292 Uyghurs at China’s Bidding, March 24, 2022
2. “Your Family Will Suffer”: How China Is Hacking, Surveilling, and Intimidating Uyghurs in 22 Liberal Democracies, November 10, 2021
3. “Nets Cast from the Earth to the Sky”: China’s Hunt for Pakistan’s Uyghurs, August 11, 2021
4. No Space Left to Run: China’s Transnational Repression of Uyghurs, June 24, 2021
5. Weaponized Passports: The Crisis of Uyghur Statelessness, April 1, 2021
6. “The Government Never Oppresses Us”: China’s proof-of-life videos as intimidation of Uyghurs abroad, February 1, 2021
7. Repression Across Borders: The CCP’s Illegal Harassment and Coercion of Uyghur Americans, August 28, 2019
8. “Another Form of Control”: Complications in obtaining documents from China impacts immigration processes and livelihoods for Uyghurs abroad, August 10, 2018
9. “The Fifth Poison”: The Harassment of Uyghurs Overseas, November 28, 2017
10. “They Can’t Send Me Back”: Uyghur Asylum Seekers in Europe face pressure to return to China, September 20, 2011

#### STATEMENTS

1. UHRP Encouraged by U.S. Visa Ban to Oppose Transnational Repression, Urges Multilateral Action, March 22, 2022
2. UHRP Welcomes Prosecutions of Chinese Secret Police Harassing and Spying in the U.S., March 16, 2022

3. 12 Years After July 5 Unrest in Urumqi, UHRP Again Calls for Safe Haven for Uyghur Refugees, July 5, 2021
4. On World Refugee Day 2021, UHRP Calls for Global Protections for Uyghur Refugees, June 20, 2021
5. UHRP Calls for Due Process in Turkish Case regarding Dolkun Isa, June 8, 2021
6. UHRP Welcomes Senate Legislation to Support Safe Haven for Uyghurs Abroad, April 13, 2021
7. UHRP Welcomes House Bill to Provide Uyghurs Safe Haven, March 9, 2021
8. Op-ed: How Beijing Uses Family Videos to Try to Discredit Uyghur Advocates, Emily Upson in the HK Free Press, February 28, 2021
9. UHRP Submits Statement on Issues Facing Uyghur Refugees to the U.S. Commission on International Religious Freedom (USCIRF), February 12, 2021
10. Uyghurs Fear Deportation if Turkey-China Extradition Agreement Comes into Force, December 30, 2020
11. Op-ed: China's Barbarity toward Uyghur Families Should Shock Our Consciences and Spur Action, Omer Kanat in The Diplomat, October 22, 2020
12. Uyghur Camp Survivor Arrives Safely in the United States, September 25, 2020
13. On World Refugee Day, UHRP Urges UNHCR to Address Looming Uyghur Statelessness, June 19, 2020
14. Op-ed: Uyghurs without Passports: Forced Legibility and Illegibility, Henryk Szadziwski in The Geopolitics, May 12, 2020
15. UHRP Welcomes Rescue of Uyghur Camp Survivors, April 29, 2020
16. Open Threats against Uyghur Activist in Germany Lay Bare China's Lawless Persecution, January 15, 2020
17. China's Propaganda Videos Are an Ineffective Attempt to Discredit #StillNoInfo, January 14, 2020
18. Op-ed: China's Cross-Border Campaign to Terrorize Uyghur Americans, Omer Kanat in The Diplomat, August 29, 2019
19. World Refugee Day 2019: Thailand Should Free Uyghur Refugees, June 19, 2019
20. Op-ed: Uyghur Refugees Deserve Freedom, Omer Kanat in the Bangkok Post, November 20, 2018
21. World Refugee Day 2018: End Forced Returns of Uyghurs, June 19, 2018
22. Media Advisory: UHRP-WUC EVENT: Dolkun Isa Speaks on Removal of INTERPOL Red Notice after 20 Years, March 5, 2018
23. World Refugee Day 2017: UHRP Calls for Information on Returned Uyghur Refugees, June 17, 2017
24. China: Reveal Condition and Whereabouts of Uyghur Refugees Forcibly Deported from Thailand to China One Year Ago, July 7, 2016
25. World Refugee Day 2016: End Forced Returns of Uyghur Refugees and Resettle Remaining Uyghurs in Thailand to Safe Third Country, June 20, 2016

## SUBMISSION OF SENATOR JEFF MERKLEY

On pages 45–53 of this hearing are screenshots of FBI webpages useful for reporting transnational repression/threats. Instructions for reaching the Transnational Repression webpage, the Threat Intimidation Guide webpage, and the Threat Intimidation Guide in English, Simplified Chinese, Traditional Chinese, and Uyghur are given below. Each Guide lists a web address where tips can be reported.

**To access the Transnational Repression webpage and then to reach a [tips.fbi.gov](https://tips.fbi.gov) link and/or the Threat Intimidation Guide webpage**, (screenshots on pages 45–49 of this hearing), go to [fbi.gov](https://fbi.gov), click the What We Investigate tab, click the Counterintelligence tab, and then click on the “Transnational Repression Is Illegal” box below to reach the Transnational Repression webpage containing (in the box on the right) the heading “How to Report.” Click on either **[tips.fbi.gov](https://tips.fbi.gov)** to provide a tip or click on the Threat Intimidation Guide link.

**To access a Threat Intimidation Guide**, (screenshots on pages 50–53 of this hearing), click the desired language on the right hand side of the Threat Intimidation Guide webpage. Each Guide lists an additional address, **[www.fbi.gov/tips](https://www.fbi.gov/tips)**, to use for reporting tips.

**Threat Intimidation Guide (in English)** (screenshot on page 50 of this hearing)

**Threat Intimidation Guide (in Chinese, Simplified)** (screenshot on page 51 of this hearing)

**Threat Intimidation Guide (in Chinese, Traditional)** (screenshot on page 52 of this hearing)

**Threat Intimidation Guide (in Uyghur)** (screenshot on page 53 of this hearing)

An official website of the United States government
11/20/25, how you know

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## Transnational Repression

When foreign governments stalk, intimidate, or assault people in the United States, it is considered transnational repression. It is illegal, and you can get help to stop it.

Some countries' governments harass and intimidate their own citizens living in the U.S. These governments may also target naturalized or U.S.-born citizens who have family overseas or other foreign connections. This violates U.S. law and individual rights and freedoms.

Transnational repression may take the following forms:

- Stalking
- Harassment
- Hacking
- Assaults
- Attempted kidnapping
- Forcing or coercing the victim to return to the home country
- Threatening or detaining family members in the home country
- Freezing financial assets
- Online disinformation campaigns

Governments use transnational repression tactics to silence the voices of their citizens (or non-citizens connected to the country), get information from them, or coerce them to return home.

### Who Is Targeted

Foreign governments typically target:

- Political and human rights activists
- Dissidents
- Journalists
- Political opponents
- Religious or ethnic minority groups

If you are in the U.S., including a U.S. territory, your freedom of speech is protected, regardless of your citizenship.

**How to Report**

- Contact the FBI online at [tips.fbi.gov](https://tips.fbi.gov).
- Reach out to your [local FBI field office](#).
- Call 1-800-CALL-FBI (1-800-225-5324).

[Threat Intimidation Guide](#)

## Examples and Related Press Releases

- 12.14.2022 [People's Republic of China Citizen Arrested for Stalking](#)
- 10.24.2022 [Two Arrested and 13 Charged in Three Separate Cases for Alleged Participation in Malign Schemes in the United States on Behalf of the Government of the People's Republic of China](#)
- 07.07.2022 [Five Men Indicted for Crimes Related to Transnational Repression Scheme to Silence Critics of the People's Republic of China Residing in the United States](#)
- 05.18.2022 [U.S. Citizen and Four Chinese Intelligence Officers Charged with Spying on Prominent Dissidents, Human Rights Leaders, and Pro-Democracy Activists](#)
- 03.30.2022 [Man Charged with Transnational Repression Campaign While Acting as an Illegal Agent of the Chinese Government in the United States](#)
- 03.21.2022 [U.S. State Department Statement Regarding Transnational Repression](#)
- 03.16.2022 [Five Individuals Charged Variously with Stalking, Harassing and Spying on U.S. Residents on Behalf of the PRC Secret Police](#)
- 07.22.2021 [Nine Individuals Charged in Superseding Indictment with Conspiring to Act as Illegal Agents of the People's Republic of China](#)
- 07.13.2021 [Iranian Intelligence Officials Indicted on Kidnapping Conspiracy Charges](#)
- 12.18.2020 [China-Based Executive at U.S. Telecommunications Company Charged with Disrupting Video Meetings Commemorating Tiananmen Square Massacre](#)
- 10.28.2020 [Eight Individuals Charged with Conspiring to Act as Illegal Agents of the People's Republic of China](#)
- 09.21.2020 [New York City Police Department Officer Charged With Acting as an Illegal Agent of the People's Republic of China](#)
- 01.15.2020 [Two Individuals Sentenced in Connection with Work on Behalf of Iran](#)

Transnational Repression Wanted Posters



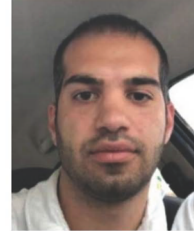
SUN QIANG



ALIREZA SHAHVARGHI  
FARAHANI



OMID NOORI



KIYA SADEGHI



MAHMOUD KHAZEIN

## FBI Threat Intimidation Guide

- What is a threat?
- Types of threats
  - In-person threats
  - In-person verbal threats
  - Phoned threats
  - Electronic message threats
  - Cyber attacks
- Who should I contact if I've been threatened or intimidated: local police or the FBI?
- What can I expect if I am interviewed by the FBI?
- What is the threshold for the FBI to investigate a complaint and/or initiate an investigation?
- What can I expect if the FBI initiates an investigation?

### What is a threat?

If someone communicates any statement or indication of an intention to inflict pain, injury, damage, or other hostile action in an illegal manner, to include in a manner that manipulates the U.S. legal system, that's a threat.

People may also threaten you with blackmail or other negative consequences if you don't comply with certain demands.

If you are in immediate physical danger, call 911.

Contact your [local FBI field office](#) or visit [tips.fbi.gov](#) to report a threat associated with a federal crime. You can report your tip anonymously.

### Types of threats

If you're in imminent danger because of the close proximity of a person who is actively threatening or in the course of taking physical action against you, that's an in-person threat.

If you're facing an in-person threat, such as an active shooter, you have three options:

- Run: Identify an escape route. Drop any belongings that may slow you down. If possible, help others escape and call 911.
- Hide: Hide from the view of the threat. Lock doors or block entries. Silence your phone and other devices (including vibrate mode) and remain silent until the threat is over.
- Fight: Fighting should be your last resort. Do it only when no other action could reasonably protect you in that moment of imminent danger. Attempt to incapacitate the threat. Act with as much physical aggression as possible.

If you're threatened but are not in immediate physical danger, that's a verbal in-person threat.

If you've been verbally threatened:

- Write down or record the threat exactly as it was communicated.
- Record as many descriptive details about the person who made the threat (name, race, gender, height, weight, hair and eye color, voice, clothing, or any other distinguishing features).
- Report the threat to law enforcement.

If someone is threatening you over the phone, that's a phoned threat.

In these cases, try to get as much information on the caller and the threat as possible, unless the threat is nearby or may imminently harm you and/or others.

- Remain calm and do not hang up the phone.
- Keep the caller on the phone as long as possible.
- Try to solicit information from the caller to determine whether the threat is specific, realistic, or poses immediate danger to you and/or others.

### FBI Threat Intimidation Guides (PDFs)

- English
- Albanian
- Amharic
- Arabic
- Armenian-Eastern
- Bengali
- Bosnian
- Bulgarian
- Cambodian
- Chechen
- Chinese (Simplified)
- Chinese (Traditional)
- Croatian
- Dari
- Dutch
- Farsi
- Finnish
- French
- Georgian
- German
- Greek
- Gujarati
- Hindi
- Hungarian
- Ibo
- Indonesian
- Italian
- Japanese
- Kazakh
- Korean
- Kurdish
- Lao
- Malay
- Nepali
- Nigerian-Pidgin
- Pashto
- Polish
- Portuguese
- Rohingya
- Romanian
- Russian
- Serbian
- Somali
- Spanish
- Swahili
- Swedish
- Tagalog
- Telugu
- Tajik
- Thai
- Tibetan
- Tigrinya
- Turkish
- Ukrainian
- Urdu
- Uyghur
- Uzbek
- Vietnamese
- Yiddish
- Yoruba

- If possible, signal others nearby to listen and notify law enforcement.
- Copy any information from the phone's electronic display.
- Write the exact wording of the threat.
- Record the call if possible.
- Be available to discuss the details with law enforcement personnel.

**If someone threatens you over text message, direct/private message, social media, or email, that's an electronic message threat.**

To protect yourself from these types of threats, follow these tips:

- Don't open electronic messages or attachments from unknown senders.
- Don't communicate on social media with unknown or unsolicited individuals.
- Make sure your security settings on your devices and your accounts are set to the highest level of protection.

If you do receive an electronic threat:

- Don't delete the messages.
- Leave any messages open on the device.
- Immediately notify law enforcement that you've received a threat.
- Print, photograph, or copy the message information (subject line, date, time, sender, etc.).
- Preserve all electronic evidence.

**Cyber attacks can compromise your electronic devices and expose personal information.**

To protect yourself from these types of threats, practice good cyber hygiene:

- Use strong passphrases and do not use the same passphrase for multiple websites.
- Set anti-virus and anti-malware applications to automatically update.
- Apply system and software updates as soon as they become available.
- Apply two-factor authentication.
- Backup data regularly.

If you suspect that you have been a victim of a cyber attack:

- Do not delete or alter your computer systems.
- Immediately contact your financial institutions to protect your accounts from identity theft.
- Change passphrases and monitor accounts for suspicious activity.

#### **Who should I contact if I experience threats or intimidation: local police or the FBI?**

- If you or others are in immediate physical danger, call the local police by dialing 911.
- If you experience a threat associated with a federal crime, contact [your local FBI field office](#) by calling 1-800-CALL-FBI (or 1-800-225-5324) or via [tips.fbi.gov](#). Examples include threats from an agent of a foreign government, organized crime, or a government official. Your report can be anonymous.
- Not all incidents meet the FBI's investigative threshold. If you are the victim of an incident that does not meet the threshold of a federal crime, you may need to report it to your local police department. Local and state jurisdictions have different thresholds for investigating suspected crimes.

#### **What can I expect if I am interviewed by the FBI?**

- An FBI agent can meet with you at an FBI field office or at another location.
- The FBI will ask you to provide as much information as possible about the perpetrator and details of the threat you have experienced.
- The FBI will ask you for your contact information to follow up with you if needed.
- The FBI will attempt to protect your identity and confidentiality.
- If appropriate, an FBI victim specialist may be present during the interview to provide information and support, or they may contact you after your interview by phone or mail.

#### **What is the threshold for the FBI to investigate a complaint and/or initiate an investigation?**

- The FBI is able to investigate threats that violate U.S. federal law and imply harm or danger to the recipient.
- The ability of the U.S. government to prosecute individuals for threat-related charges is contingent upon several factors, such as the quality of the evidence, the ability to identify individuals who perpetrated the action, the identification of a conspiracy, and/or the ability to arrest the offending individuals.



**What can I expect if the FBI initiates an investigation?**

- If the FBI believes a federal crime may have been committed, one or more FBI special agents will conduct an investigation. As part of the investigation, the special agents will gather evidence, which may include an interview with you and other victims.
- You may also be asked to describe your experience before a federal grand jury.
- A thorough investigation will be completed. The investigation may take a long time to finish, and you will not be updated on day-to-day case developments. Every effort will be made to tell you about major events in an investigation, such as an arrest or indictment. The FBI is committed to providing such information to you before it is released to the public, when possible. However, the FBI must always be careful not to reveal sensitive information that could hurt the investigation or increase danger to law enforcement.
- An FBI victim specialist will be available to provide identified victims with support, information, and referrals for any local resources that may be needed.

Even if reporting the details of how you were threatened or intimidated does not result in an investigation, it will likely assist other victims by helping the FBI track threats and identify trends.





Contact your local FBI field office or visit [tips.fbi.gov](https://tips.fbi.gov) to report a threat associated with a federal crime. You can report your tip anonymously.

**If you are in imminent danger, call 911.**



U.S. Department of Justice  
Federal Bureau of Investigation

# THREAT INTIMIDATION GUIDE


 <b>IN-PERSON THREAT</b>	 <b>PHONED THREAT</b>	 <b>ELECTRONIC MESSAGE THREAT</b>	 <b>CYBER ATTACKS</b>
<p>A <b>physical in-person threat</b> is when you are in imminent danger because of the close proximity of the person making the threat. You have three options:</p> <ol style="list-style-type: none"> <li>1. <b>Run:</b> Identify an escape route. Drop any belongings that may slow you down. If possible, help others escape. Call 911.</li> <li>2. <b>Hide:</b> Hide away from view of the threat. Lock doors or block entries. Silence your cell phone (including vibrate mode) and remain silent until the threat is over.</li> <li>3. <b>Fight:</b> Fighting should be a last resort and only when your life is in imminent danger. Attempt to incapacitate the threat. Act with as much physical aggression as possible.</li> </ol> <p>A <b>verbal in-person threat</b> is one that does not place the recipient in immediate danger or is intended to be carried out later.</p> <ul style="list-style-type: none"> <li>• Write down or otherwise record the threat exactly as it was communicated.</li> <li>• Record as many descriptive details about the person who made the threat: name, race, gender, height, weight, hair and eye color, voice, clothing, or any other distinguishing features.</li> <li>• Report the threat to law enforcement.</li> </ul>	<p>A <b>PHONED THREAT</b> is a threat received by telephone. You should try to get as much information on the caller and the threat as possible, unless the threat is nearby or may imminently harm you or others.</p> <ul style="list-style-type: none"> <li>• Remain calm and do not hang up.</li> <li>• Keep the caller on as long as possible and try soliciting information to determine whether the threat is specific, realistic, or poses immediate danger to you or others.</li> <li>• If possible, signal others nearby to listen and notify law enforcement.</li> <li>• Copy any information from the phone's electronic display.</li> <li>• Write the exact wording of the threat.</li> <li>• Record the call if possible.</li> <li>• Be available to discuss the details with law enforcement personnel.</li> </ul>	<p>An <b>ELECTRONIC MESSAGE THREAT</b> is a threat received via the internet through direct messaging, email, or social media. It may include threats of blackmail or adverse consequences if the recipient does not comply.</p> <ul style="list-style-type: none"> <li>• Do not open an electronic message or attachment from unknown senders.</li> <li>• Do not communicate on social media with unknown or unsolicited individuals.</li> <li>• Make sure your security settings are set to the highest level of protection.</li> </ul> <p>If an electronic threat is received:</p> <ul style="list-style-type: none"> <li>• Do not delete the message. Forensic examination may uncover important details.</li> <li>• Leave the message open on the computer.</li> <li>• Immediately notify law enforcement.</li> <li>• Print, photograph, or copy the message, subject line, date, and time.</li> <li>• Preserve all electronic evidence.</li> </ul>	<p>A <b>CYBER ATTACK</b> can compromise your electronic device and expose personal information.</p> <ul style="list-style-type: none"> <li>• Use strong passphrases and do not use the same passphrase for multiple websites.</li> <li>• Set anti-virus and anti-malware applications to automatically update.</li> <li>• Apply system and software updates as soon as they become available.</li> <li>• Apply two-factor authentication.</li> <li>• Backup data regularly.</li> </ul> <p>If you suspect that you have been a victim of a <b>cyber attack</b>:</p> <ul style="list-style-type: none"> <li>• Do not delete or alter your computer systems.</li> <li>• Immediately contact your financial institutions to protect your accounts from identity theft.</li> <li>• Change passphrases and monitor accounts for suspicious activity.</li> </ul>

If you are in immediate physical danger, call 911.  
If you experience a threat, please contact your local FBI field office (listings available at [www.fbi.gov](http://www.fbi.gov)) or submit a tip via 1-800-CALLFBI (or 1-800-225-5324) or via [www.fbi.gov/tips](http://www.fbi.gov/tips).  
You can also make an anonymous tip to the FBI by phone or online.




U.S. Department of Justice  
Federal Bureau of Investigation

# THREAT INTIMIDATION GUIDE




**Who should I contact if I experience threats or intimidation: local police or the FBI?**

- If you or others are in immediate physical danger, call the local police by dialing 911.
- If you experience a threat associated with a federal crime, contact your local FBI field office (listings at [www.fbi.gov](http://www.fbi.gov)) by calling 1-800-CALLFBI (or 1-800-225-5324) or via [www.fbi.gov/tips](http://www.fbi.gov/tips). Examples include threats from an agent of a foreign government, organized crime, or a government official. Your report can be anonymous.
- Not all incidents meet the FBI's investigative threshold. If you are the victim of an incident that does not meet the threshold of a federal crime, you may need to report it to your local police department. Local and state jurisdictions have different thresholds for investigating suspected crimes.




**What can I expect if I am interviewed by the FBI?**

- An FBI agent can meet with you at an FBI field office or at another location.
- The FBI will ask you to provide as much information as possible about the perpetrator and details of the threat you have experienced.
- The FBI will ask for your contact information to follow-up with you if needed.
- The FBI will attempt to protect your identity and confidentiality.
- If appropriate, an FBI Victim Specialist may be present during the interview to provide information and support, or they may contact you after your interview by phone or mail.



**What is the threshold for the FBI to investigate a complete and/or initiate an investigation?**

- The FBI is able to investigate threats that violate US federal law and imply harm or danger to the recipient.
- The ability of US law enforcement to prosecute individuals for threat-related charges is contingent upon several factors, such as: the quality of the evidence, the ability to identify the individuals who perpetrated the action, the identification of a conspiracy, and/or the ability to arrest the offending individuals.



**What can I expect if the FBI initiates an investigation?**

- If the FBI believes a federal crime may have been committed, one or more FBI special agents will conduct an investigation. As part of the investigation, the special agents will gather evidence, which may include an interview with you and other victims.
- You may also be asked to describe your experience before a federal grand jury.
- A thorough investigation will be completed. The investigation may take a long time to finish, and you will not be updated on day-to-day case developments. Every effort will be made to tell you about major events in an investigation, such as an arrest or indictment. The FBI is committed to providing such information to you before it is released to the public, when possible. However, the FBI must always be careful not to reveal sensitive information that could hurt the investigation or increase danger to law enforcement.
- An FBI Victim Specialist will be available to provide identified victims with support, information, and referrals for any local resources that may be needed.

*Even if reporting the details of how you were threatened or cyber attacked does not result in an investigation, it will likely assist other victims by helping the FBI track threats and identify trends.*

**FBI PUBLIC CONTACT INFORMATION LISTED BY CITY AND STATE IS AVAILABLE AT [WWW.FBI.GOV](http://WWW.FBI.GOV). IF YOU ARE IN IMMINENT DANGER, CALL 911.**

Even if reporting the details of how you were threatened or cyber attacked does not result in an investigation, it will likely assist other victims by helping the FBI track threats and identify trends.

FBI FIELD OFFICE CONTACT INFORMATION LISTED BY CITY AND STATE IS AVAILABLE AT [WWW.FBI.GOV](http://WWW.FBI.GOV). IF YOU ARE IN IMMINENT DANGER, CALL 911.

**美国司法部  
联邦调查局**

# 威胁和恐吓 反应指南

**当面威胁**

**电话威胁**

**电讯威胁**

**网络攻击**

**人身威胁**是当您由于威胁您的人的接近而处于迫在眉睫的危险时，您有三个选择：

- 逃跑：**确定逃生路线，放下任何可能让您慢下来的东西。如果可能的话，帮助他人逃跑。拨打 911。
- 躲藏：**躲过威胁的视线。锁门或阻挡入口。静音您的手机（包括振动模式），并保持安静，直到威胁结束。
- 搏斗：**搏斗应该是最后的手段，而且只有当您的生命处于迫在眉睫的危险的时候，尽量让威胁者丧失行为能力。尽可能多地进行身体攻击。

**口头当面威胁，**指的是不会使接受者处于**直接危险之中或者在稍后无端的威胁。**

- 写下或确证记录威胁发生的过程。
- 记录关于威胁者尽可能多的描述性细节：姓名、外貌、肤色、性别、身高、体重、头发和眼睛的颜色、声音、服装或任何其他特征。
- 向执法部门报告威胁。

**电话威胁**是电话收到的威胁。您应该尽量获取有关呼叫者和威胁的信息，除非威胁近在咫尺或可能立即伤害到您或其他人。

- 保持冷静，不要挂断电话。
- 尽可能长时间地保持呼叫者的通话时间，并尝试征询信息，以确定威胁是否具体、现实还是对您或其他人构成直接危险。
- 如果可能，暗示附近的其他人旁听并通知执法部门。
- 从手机的电子显示屏复制任何信息，写出威胁的确切措辞。
- 如果可能，请对该通话录音。
- 与执法人员讨论详细信息。

**电讯威胁**是通过直接讯息、电子邮件或社交媒体接收到的威胁。如果接收者不遵从，则可能包括勒索威胁或不良后果。

- 请勿打开来自未知发件人的电子邮件或附件。
- 不要在社交媒体上与未知或未经请求的个人进行交流。
- 请确保您的安全设置已设置为最高级别的保护。

**如果收到电子威胁：**

- 不要删除邮件。法证检查可能会发现重要细节。
- 让邮件在计算机上保持打开状态。
- 立即通知执法部门。
- 打印、拍摄或复制邮件、主题行、日期和时间。
- 保存所有电子证据。

**网络攻击**可能危及您的电子设备并公开个人信息。

- 使用强密码短语，不要对多个网站使用相同的密码短语。
- 将防病毒和反恶意软件应用程序设置为自动更新。
- 一旦系统和软件更新可用，请立即应用它们。
- 应用双重身份验证。
- 定期备份数据。

**如果您怀疑您是网络攻击的受害者：**

- 不要删除或更改计算机系统。
- 立即联系您的金融机构，保护您的账户免遭身份盗窃。
- 更改密码并监视帐户的可疑活动。

*如果您受到直接的身体危险，请拨打 911。*  
*如果您遭到威胁，请联系您当地的联邦调查局地方分局（www.fbi.gov 上有列表），或通过 1-800-CALLFBI（或 1-800-225-5324）或通过 www.fbi.gov/tips 提交线索。*  
*您也可以通过电话或网络向联邦调查局提供匿名线索。*

**美国司法部  
联邦调查局**

# 威胁和恐吓 反应指南

**如果我遇到威胁或恐吓，我应该联系谁：当地警察还是联邦调查局？**

- 如果您或其他人有直接的人身危险，请拨打 911 联系当地警察。
- 如果您遇到与联邦犯罪相关的威胁，请拨打 1+800/CALLFBI（或 1+800+225+5324）或通过 www.fbi.gov/tips 联系您当地的 FBI 外地办事处（www.fbi.gov 上有列表）。适用于比如来自外国政府代理人、有组织犯罪或政府官员的威胁。您的报告可以是匿名的。
- 并非所有事件都将符合联邦调查局的调查启动门槛。如果您是符合联邦犯罪门槛的事件的受害者，您可能需要向当地警察局报告，地方和州司法管辖区在调查可疑犯罪启动要求不同。

**如果我要和联邦调查局面谈，我应预期什么？**

- 联邦调查局探员可以在联邦调查局地方分局或其他地点与您会面。
- 联邦调查局将要求您提供尽可能多的有关肇事者的信息以及您所经历的威胁的详细信息。
- 如果需要，联邦调查局会要求您提供联系信息与您跟进。
- 联邦调查局将试图保护您的身份和秘密。
- 如果合适，联邦调查局的受害者专家可能在面谈期间提供服务和支持，或者他们可能会在面谈后通过电话或邮件与您联系。

**联邦调查局调查投诉和/或启动调查的门槛是什么？**

- 联邦调查局能够调查违反美国联邦法律并暗示对接收者造成伤害或危险的威胁。
- 美国政府起诉与威胁有关指控的个人的能力取决于若干因素，例如：证据的质量、找出实施该行为的个人的能力、是否包括阴谋、和/或逮捕犯罪个人的能力。

**如果联邦调查局启动调查，我应预期什么？**

- 如果联邦调查局认为有人可能犯下了联邦罪行，一个或多个联邦调查局特工将进行调查，作为调查的一部分，特工将收集证据，其中可能包括与您和其他受害者的面谈。
- 您可能也会被要求在联邦大陪审团面前描述您的经历。
- 本局将进行一个彻底的调查。调查可能需要很长时间才能完成，而且您不会经常得到案件进展的日常更新。本局将尽一切努力告诉您有关调查中如逮捕或起诉这样的重大事件。联邦调查局承诺在可能的情况下，在这些信息发布给公众之前，先将此类信息提供给您。然而，联邦调查局会始终小心地不泄露可能会损害调查或增加执法当局敏感信息。
- 联邦调查局受害者专家将为已确认的受害者提供支持、信息和介绍给可能需要的任何当地资源。

*即使报告您受到威胁或恐吓的细节不会自动调查，它也可能通过帮助联邦调查局跟踪威胁和识别趋势来帮助其他受害者。*

*联邦调查局地方分局的联系信息按城市和州在 www.FBI.gov 列出。如果您处于迫在眉睫的危险，请拨打 911。*

**美國司法部**  
**聯邦調查局**

威 脅 恐 嚇 反 應 指 南

當面威脅	電話威脅	電子信息威脅	網絡攻擊
<p><b>當面威脅</b> 是指由于您與受到威脅的人處於很近的距離而使您處在迫在眉睫的危險中。 您有三個選擇：</p> <ol style="list-style-type: none"> <li><b>1. 逃生：</b> 確定逃生路線，放下任何可能減慢你速度的物品。 如果可能，幫助其他人逃生。 撥打 911。</li> <li><b>2. 躲藏：</b> 躲藏在威脅者的視線範圍之外的地方。 鎖好門或鎖進出口，將您的手機靜音（包括震動模式）並保持安靜直到威脅結束。</li> <li><b>3. 搏鬥：</b> 搏鬥應是最後的手段，並且只有當您的生命面臨迫在眉睫的危險時，嘗試使威脅者喪失能力。 儘可能表現出爭執交鋒的身體反應。</li> </ol> <p><b>口頭面對面的威脅指的是不會使接受者處於直接危險之中或意在稍後實施的威脅。</b></p> <ul style="list-style-type: none"> <li>寫下或以其他方式準確記錄口頭威脅的表述過程。</li> <li>記錄盡可能多的關於發出威脅者的描述細節，包括：姓名、外貌、肤色、性別、身高、體重、頭髮和眼睛的顏色、聲音、著裝或任何其他有別於他人的特徵。</li> <li>向執法部門報告您受到的威脅。</li> </ul>	<p><b>電話威脅</b> 是在電話上受到的威脅。 除非威脅近在咫尺或可能立即傷害到您或他人，您應該盡量獲取來電人的有關信息。</p> <ul style="list-style-type: none"> <li>保持冷靜，不要掛斷電話。</li> <li>儘可能記住與打電話的人的對話，並盡量獲取信息，以便確定威脅是否具體，真實或是對您或他人構成直接的威脅。</li> <li>如果可能，聽取附近的其他人聽到的電話內容。</li> <li>將手機的電子顯示上的所有信息複制下來。</li> <li>將威脅的確切時間寫下來。</li> <li>如果您可能獲電話錄音。</li> <li>讓自己可以與執法人員討論細節。</li> </ul>	<p><b>電子信息威脅</b> 是通過直接短信、電子郵件或社交媒體而受到的威脅。 這可能包括若接受者不從情況下勒索威脅或不利後果的威脅。</p> <ul style="list-style-type: none"> <li>不要打開來自未知發件人的郵件或附件。</li> <li>不要在社交媒體上與不相識或不請自來的個人交流。</li> <li>確保您的安全設置設定在最高級別保護。</li> </ul> <p><b>如果您收到電子威脅：</b></p> <ul style="list-style-type: none"> <li>不要刪除郵件。 法證檢查可能會發現重要細節。</li> <li>保持郵件在計算機上打開的狀態。</li> <li>立即通知執法部門。</li> <li>將郵件「發」主頁、日期和時間打印。 拍照或複印。</li> <li>保存所有電子證據。</li> </ul>	<p><b>網絡攻擊</b> 可能危害您的電子器件並暴露您的個人信息。</p> <ul style="list-style-type: none"> <li>使用強密碼且不要在多個網站使用相同的密碼短語。</li> <li>將防病毒和防惡意軟件應用程序設定為自動更新。</li> <li>在系統和軟件更新可用時立即應用它們。</li> <li>應定期更新身份驗證。</li> <li>定期備份數據。</li> </ul> <p><b>如果您懷疑自己成為某次網絡攻擊的受害者：</b></p> <ul style="list-style-type: none"> <li>不要刪除或更改您的計算機系統。</li> <li>立即聯絡您的金融機構，保護您的帳戶免遭身份盜竊。</li> <li>更換密碼並監視帳戶上的可疑活動。</li> </ul>

如果您感到您正在面臨人身危險，請撥打 911。

如果您經歷了威脅，請聯絡您當地的 FBI 分局（分局清單可以在 [www.fbi.gov](http://www.fbi.gov) 查詢）或撥打 1-800-CALLFBI（或 1-800-225-5324），或通過 [www.fbi.gov/tips](http://www.fbi.gov/tips) 提交投訴。

您也可以匿名方式通過電話或網絡向 FBI 提供線索。

**美國司法部**  
**聯邦調查局**

威 脅 恐 嚇 反 應 指 南

**如果我遇到威脅或恐嚇，我應該跟誰聯係：當地警察還是聯邦調查局？**

- 如果您或他人面臨直接的人身危險，撥打 911 聯絡當地警察。
- 如果您經歷與聯邦犯罪相關的威脅，撥打 1-800-CALLFBI (or 1-800-225-5324) 或通過 [www.fbi.gov/tips](http://www.fbi.gov/tips) 與當地聯邦調查局分局聯絡（分局清單在 [www.fbi.gov](http://www.fbi.gov)）。此類事例包括來自外國政府代理人、有組織犯罪、或政府官員的威脅。您的舉報可以用匿名的方式。
- 並非所有的事件都符合聯邦調查局的立案基本條件。如果您是一起不符合聯邦法律定義的犯罪之受害者，您可能需要向當地警察局報告。地方和州司法管轄區調查犯罪權限有不同的基本條件。

**如果我被聯邦調查局面談，我能夠期待些什麼？**

- 聯邦調查局的特工可以在聯邦調查局分局或任何其他地點與您見面。
- 聯邦調查局將要求您提供盡可能多的關於肇事者的信息以及您經歷的威脅的細節。
- 如有必要，聯邦調查局將要求您提供聯絡方式以便與您處理後續。
- 聯邦調查局將盡力保護您的身份和秘密。
- 在合適的情況下，聯邦調查局的受害人專家可能在面談期間提供服務和支持，或者會在面談後通過電話或郵件與您聯絡。

**聯邦調查局調查投訴和/或展開全面調查的基本條件是什麼？**

- 聯邦調查局能夠調查違反美國聯邦法律並對威脅對象造成危害或危險的威脅。
- 美國執法部門起訴與威脅指控有關的個人的能力取決於若干因素，例如：證據質量，找到實施行為的個人，識別陰謀，以及逮捕犯罪人員的能力。

**如果聯邦調查局自動調查我能預期什麼？**

- 如果聯邦調查局認為有人犯了聯邦罪，一個或多個聯邦調查局特工將進行調查。作為調查的一部分，特工將收集證據，其中可能包括與您和其他受害者的面談。
- 您可能也會被要求在聯邦大陪審團面前描述您的經歷。
- 本局將進行徹底調查。調查可能需要很長時間才能完成。因日常案件進展不會通知您。本局將盡一切努力告知有關調查中如逮捕或起訴此類重大事件。在可能的情况下，聯邦調查局承諾在將此類信息公佈之前先將信息提供給您。但是聯邦調查局會始終保持謹慎不洩露可能會損害調查或加重司法人員危險的敏感信息。
- 聯邦調查局受害者專家可以為已確認的受害者提供支持，信息和推介可能需要的任何當地資源。

即使您的報告遭受威脅或網絡攻擊後不能立案，您的報告仍可能會通過協助聯邦調查局追蹤威脅和識別趨勢來幫助其他受害者。

FBI 地方分局的聯係信息按城市和州在 [WWW.FBI.GOV](http://WWW.FBI.GOV) 列出。如果您面臨迫在眉睫的危險，請撥打 911。

**تەھدىت ۋە قورقۇتۇشقا**  
**جاۋاب قايتۇرۇش قوللانمىسى**



ئامېرىكا ئەدلىيە مىنىستىرلىقى  
ئېدېراتسىيە تەكشۈرۈش ئىدارىسى

[illegible]

**لەبەر دەرمان و سەلامەتی خۆتەر ئێوەدا ئەفسەرد، 911 غا تەلهفون قىلىڭ.**

ئەگەر تەنھەيەتتە بولۇپسۇز، قېتىم تەبىئەت كەلتۈرۈش دەرىجىسىدە يەككە شەخەسنى بىلەن ئالاقىلەشتۈرۈش ئۈچۈن [www.fbi.gov](http://www.fbi.gov) گە قاراڭ.

ياكى 1-800-CALLFBI (ياكى 1-800-225-5324) بىلەن زاتىدىنلا 1-800-[www.fbi.gov/tips](http://www.fbi.gov/tips) نىڭ تەلپۇن قىلىش ئۈچۈن بولالاڭ.

تەلپۇن ئۈزۈلمەي قېتىم تەبىئەت كەلتۈرۈش ئەمىلىدە ئاممىسىغا ئەلچىلىك قىلالايدىغان ئۇچۇرى بەرمەيسىز.

**تەھدىت ۋە قورقۇتۇشقا**  
**جاۋاب قايتۇرۇش قوللانمىسى**



امېريکا نېدېرلېنډي مېنېسټرلکې  
نېدېرلېنډي ته کښور و نندارېسي

ئەگەر مەن تەھدىتتە ياكى قورقۇنۇشقا بولۇپسەم كىم بىلەن ئالاقىلىشىشىم كېرەك؟ يەرلىك ساۋچى بىلەنمۇ؟ ياكى ئامېرىكا فېدېراتسىيە تەكشۈرۈش ئىدارىسى بىلەنمۇ؟

- [illegible]

ئەگەر مەن فېدېراتسىيە تەكشۈرۈش ئىدارىسىنىڭ زىيارىتىنى قوبۇل قىلىسام زىيارەتتىن نېمىنى كۈتەلەيمەن (زىيارەتتە قانداق نىشلار بولىدۇ)؟

- [illegible]

لېڊېر تەسۋىيە تەكشۈرۈش ئىدارىسىنىڭ ئەرزىنى تەكشۈرۈش ۋە يەنكى تەكشۈرۈشنى باشلاشنىڭ چېكى (شەرتى) نېمە؟

[illegible]

ئەگەر ئامېرىكا فېدېراتسىيە تەكشۈرۈش ئىدارىسى تەكشۈرۈشنى باشلىسا مەن تەكشۈرۈشتىن نەپەلەرنى كۈتەلمەن (تەكشۈرۈشتە قانداق نىشلار بولىدۇ؟)

- [illegible]

تەۋجىھاتلىقلىرىڭىز، ياكى قورقۇتۇلغانلىقىڭىزنىڭ، تەپسىلاتلىرىنى دوكلات قىلغاندىن كېيىن ئىختىساد تەكشۈرۈش ئېلىپ بېرىلمىغان ئەقلىدىنمۇ، بەلكىم ئۇ ئۇچۇرلار ئېھتىمالسىيە تەكشۈرۈش ئىدارىسىنىڭ تەدبىرلىرى تەقدىم قىلىنى ئۇ تەدبىرلەرنىڭ يۈزلىنىشى ئىشلىتىشقا

تەۋسىيە قىلىنغان رايونلارنىڭ ئىچىدە ئۆزگىرىشچانلىق بار.



**United States House of Representatives  
Congressional-Executive Commission on China**

**"Truth in Testimony" Disclosure Form**

*In accordance with Rule XI, clause 2(g) of the Rules of the House of Representatives, witnesses are asked to disclose the following information. Please complete this form and attach it to your written testimony and it may be made publicly available in electronic format.*

1. Date of Hearing:
2. Hearing Title:
3. Your Name:
4. Organization, organizations, or government entity you are representing:
5. Position title:
6. Are you an active registrant under the Foreign Agents Registration Act (FARA)?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

**False Statement Certification:**

Knowingly providing material false information to this commission, or knowingly concealing material information from this commission, is a crime (18 U.S.C. 1001). This form may be made part of the hearing record.

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**Witness Signature**

**Date**

### *Witness Biographies*

#### **Hon. Uzra Zeya, Under Secretary for Civilian Security, Democracy, and Human Rights, U.S. Department of State**

The Honorable Uzra Zeya is the Under Secretary for Civilian Security, Democracy, and Human Rights and the U.S. Special Coordinator for Tibetan Issues at the U.S. Department of State. From 2019 to 2021, she served as president and CEO of the Alliance for Peacebuilding, a non-partisan global network of more than 130 organizations working in more than 180 countries to end conflict by peaceful means. During her distinguished 27-year Foreign Service career, Zeya served as deputy chief of mission and chargé d'affaires in Paris; principal deputy assistant secretary and acting assistant secretary at the Bureau of Democracy, Human Rights, and Labor; chief of staff to the Deputy Secretary of State; political minister-counselor in New Delhi; and deputy executive secretary to Secretaries of State Rice and Clinton. She also served in Syria, Egypt, Oman, Jamaica, and in various policy roles at the Department of State. Zeya speaks Arabic, French, and Spanish. She has a bachelor's degree from Georgetown University and is the recipient of several State Department Superior Honor and Senior Performance awards, the Presidential Rank Award, and the French Légion d'honneur.

#### **Serena Hoy, Assistant Secretary for International Affairs, U.S. Department of Homeland Security**

Ms. Serena Hoy is the Assistant Secretary for International Affairs at the U.S. Department of Homeland Security. Previously, she served in the Office of Legal Affairs at INTERPOL Headquarters in Lyon, France; as a senior counselor to then-Deputy Secretary Alejandro Mayorkas and Secretary Jeh Johnson at the Department of Homeland Security; and with U.S. Senate Majority Leader Harry Reid, including as his chief counsel. Before working in government, she was a staff attorney for the Florida Immigrant Advocacy Center and served as the Detention Project director for the Capital Area Immigrants' Rights Coalition. She clerked for Judge Merrick Garland on the U.S. Court of Appeals for the D.C. Circuit after earning her law degree from Yale Law School. She also holds a master's degree in Middle Eastern Studies from Oxford University where she was a Rhodes Scholar, and a bachelor's degree from the University of Arizona.

